



भारत का राजपत्र

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नई दिल्ली, शनिवार, जुलाई 13, 1974/आषाढ 22, 1896

No. 28] NEW DELHI, SATURDAY, JULY 13, 1974/ASADHA 22, 1896

इस भाग में विभिन्न पृष्ठ संलग्न भी जाती हैं जिससे कि यह प्रलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर) केन्द्रीय प्राधिकारियों द्वारा जारी किये गए सांविधिक आदेश और अधिसूचनाएं

Statutory orders and notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)

उपराष्ट्रपति सचिवालय

नई दिल्ली, 30 जून, 1974

का० आ० 1710.—पंजाब विश्वविद्यालय के कुलाधिकारी, पंजाब विश्वविद्यालय के अधिनियम सन् 1947 की धारा 10 (3) के द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, पंजाब विश्वविद्यालय के कुलपति श्री सूरजभान, जिनका कुलपति का सेवाकाल 30 जून, 1974 को समाप्त हो रहा है, को दिनांक 1 जुलाई, 1974 से 4 मास का अर्थात् अवधिकाम तथा 6 मास का अर्धवर्षत भविकाम की मानर्प स्वीकृति प्रदान करते हैं।

[सं० वी० पी० ए८०/पी० यू०वी०सी०/७४]

वि० फड़के, मन्त्री

VICE-PRESIDENT'S SECRETARIAT

New Delhi, the 30th June, 1974.

S.O. 1710.—In exercise of the powers conferred by section 10 (3) of the Punjab University Act, 1947, the Chancellor of the Punjab University, Chandigarh, is pleased to grant four

months refused leave and six months furlough (on half pay) with effect from 1-7-1974 to Shri Suraj Bhan, who is completing his term as Vice-Chancellor on 30th June, 1974.

[No. VPS/PU-VC/74]

V. PHADKE, Secy.

भारत निर्बाचन आयोग

नई दिल्ली, 14 जून, 1974

का० आ० 1711.—लोक प्रतिनिधित्व अधिनियम, 1950 (1950 का 43) की धारा 13 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, निर्बाचन आयोग निमिलनाडु सरकार के परामर्श से, 12 जून, 1974 पूर्वाह्न से आगले आदेशों तक श्री टी० श्रीनिवासन के स्थान पर श्री एच० के० गाजी को निमिलनाडु राज्य के मुख्य निर्बाचन आयोग के रूप में एनव्हारा नाम निर्देशित करता है।

[सं० 154/निमिलनाडु/७४]

ए० ए८० सैन, मन्त्री

ELECTION COMMISSION OF INDIA

New Delhi, the 14th June, 1974

S.O. 1711.—In exercise of the powers conferred by sub-section (1) of Section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission of India, in consultation with the Government of Tamil Nadu, hereby nominates Shri H. K. Ghazi as the Chief Electoral Officer for the State of Tamil Nadu, with effect from the forenoon of the 12th June, 1974 and until further orders vide Shri T. Srinivasan.

[No. 154/TN/74]
A. N. SEN, Secy.

विधि, व्याय एवं कानूनी कार्य संचालय

(कानूनी कार्य विभाग)

नई विल्ली, 28 जून, 1974

का० आ० 1712.—एकाधिकार एवं निर्वन्धनकारी व्यापार प्रथा प्रधिनियम, 1969 (1969 का 54) की धारा 26 की उपधारा (3) के अनुसरण में, केन्द्रीय सरकार एतद्वारा कथित प्रधिनियम के अन्तर्गत विभिन्नतावालीकरण के प्रतिकरण को अधिसूचित करती है :—

- (1) मैसर्स कावेरी शुगर्स एण्ड केमिकल्स लिमिटेड,
(पंजीकरण प्रमाणपत्र संख्या 187/1970 विनाक 23 अक्टूबर, 1970)
- (2) मैसर्स डेक्कन शुगर आबादारी कम्पनी लिमिटेड,
(पंजीकरण प्रमाणपत्र संख्या 110/1970 विनाक 21 अक्टूबर, 1970)

[स० ९(८९२)-७० ए०-२]

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(Department of Company Affairs)

New Delhi, the 28th June, 1974

S.O. 1712.—In pursuance of sub-section (3) of section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of the following undertakings under the said Act :—

- (1) M/s. Cauvery Sugars and Chemicals Ltd. (Certificate of Registration No. 187/70, dated the 23rd October, 1970).
- (2) M/s. Deccan Sugar & Abkhari Co. Ltd. (Certificate of Registration No. 110/70, dated the 21st October, 1970).

[F. No. 9(892)/70-M. II]

नई विल्ली, 1 जुलाई 1974

का० आ० 1713.—एकाधिकार एवं निर्वन्धनकारी व्यापार प्रथा प्रधिनियम, 1969 (1969 का 54) की धारा 26 की उपधारा (3) के अनुसरण में, केन्द्रीय सरकार एतद्वारा मैसर्स अन्तर्गत हॉल्डिंग क्राइकेट लिमिटेड के कथित प्रधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाणपत्र संख्या 334/1970 विनाक 26-10-70) के निरस्तीकरण को अधिसूचित करती है।

[स० ६ (९२५)-७० ए०-(२)]
कानून मणि शर्मा, अवर सचिव

New Delhi, the 1st July, 1974

S.O. 1713.—In pursuance of sub-section (3) of section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969) the Central Government hereby notifies the cancellation of the registration of M/S. Anup Industries Private Limited under the said Act (Certificate of Registration No. 334/70, dated 26-10-70).

[No. 6/925/70-M(II)]
K. M. SHARMA, Under Secy.

योजना संचालय

(संस्थापक विभाग)

नई विल्ली, 27 जून, 1974

का० आ० 1714.—इम विभाग की अधिसूचना स० ए० 12011/7/73 ए० १०८०४०५० I, विनाक 16 फरवरी, 1974, में आणिक मशोधन द्वारा भारतीय मालिकीय संस्थान की धारा 1959 के खण्ड 8 (1) द्वारा प्रवत्त शक्तियों के अन्तर्गत भारत सरकार द्वारा नियुक्त मिमिति वर्ष 1974-75 की रिपोर्ट 31 अगस्त, 1974 से पूर्व प्रस्तुत करेगी।

[स० ए० 12011/7/73 ए० १०८०४०५०-I]
ह० ल० कोहली, अवर सचिव

MINISTRY OF PLANNING

(Department of Statistics)

New Delhi, the 28th June, 1974

S.O. 1714.—In partial modification of this Department Notification No. 12011/7/73-NSS. I, dated the 16th February, 1974, the Committee appointed by the Central Government in exercise of the powers conferred by Section 8(1) of the Indian Statistical Institute Act, 1959, shall submit its report for 1974-75 before the 31st August, 1974.

[No. M-12011/7/73-NSS. I]
H. L. KOHIL, Under Secy.

वित्त संचालय

(राजस्व द्वारा दोनों विभाग)

नई विल्ली, 8 जून, 1974

आप-कर

का० आ० 1715.—आप-कर प्रधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार श्री ए० ए० मथारे को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उन प्रधिनियम के अधीन कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2 नारीख 14 सितम्बर, 1971 की अधिसूचना संख्या 272 (संख्या 404/43/71-आई०टी०मी०सी) के अन्तर्गत की गई श्री ए० ए० मथारे की नियुक्ति रद्द की जाती है।

3 यह अधिसूचना 1 जून, 1974 से प्रवल्ल होगी।

[स० ६३७ (का० स० ४०४/१७१/७४-आई०टी०सी०सी)]
टी० आर० अग्रवाल, उप-सचिव

MINISTRY OF FINANCE

(Department of Revenue and Insurance)

New Delhi, the 8th June, 1974

INCOME TAX

S.O. 1715.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises Shri M. S. Matharu, who is Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer, under the said Act.

2. The appointment of Shri S. K. Vasista made under Notification No. 272 (No. 404/43/71-ITCC), dated 14th September, 1971 is hereby cancelled.

3. This notification shall come into force with effect from 1st June, 1974.

[No. 637 (F. No. 404/171/74-ITCC)]

T. R. AGGARWAL, Dy. Secy.

नई दिल्ली, 13 जून 1974

का० आ० 1716.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्न वर्णित संस्था को, वैज्ञानिक तथा श्रीरामोगिक प्रनुसंधान परिषद्, विहित प्राधिकारी द्वारा आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए अनुमोदित किया गया है। यह अधिसूचना 1 अप्रैल, 1973 से प्रभावी होगी।

संस्था

दो सोमायटी फोर दो स्टडी ग्राफ मौन, हिंज इन्वायरमेंट पैड डीजिज (एम ए ई) इण्डिया।

[सं० 643(फ०सं० 203/16/74-आई०टी०ए०II)]

New Delhi, the 13th June, 1974

S.O. 1716.—It is hereby notified for general information that the institution mentioned below has been approved by Council of Scientific and Industrial Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961. This notification is effective from 1st April, 1973.

INSTITUTION

The Society for the Study of Man, His Environment & Disease (MED) India.

[No. 643 (F. No. 203/16/74-ITA. II)]

नई दिल्ली, 15 जून, 1974

का० आ० 1717.—सर्वसाधारण को जानकारी के लिए यह अधिसूचित किया जाता है कि निम्न वर्णित संस्था को वैज्ञानिक तथा श्रीरामोगिक प्रनुसंधान परिषद् विहित प्राधिकारी द्वारा आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए अनुमोदित किया गया है। यह अधिसूचना 1 अप्रैल 1974 से प्रभावी है।

संस्था

मैनेजमेंट डब्ल्यूपरमेंट इन्स्टीच्यूट, नई दिल्ली।

[सं० 646 (फ०सं० 203/23/74-आई०टी०ए०II)]

New Delhi, the 15th June, 1974.

S.O. 1717.—It is hereby notified for general information that the institution mentioned below has been approved by Council of Scientific and Industrial Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income Tax Act, 1961. This notification is effective from 1st April, 1973.

INSTITUTION

Management Development Institute, New Delhi.

[No. 646 (F. No. 203/23/74-ITA.II)]

नई दिल्ली, 18 जून, 1974

का० आ० 1718.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्न वर्णित संस्था को वैज्ञानिक तथा श्रीरामोगिक प्रनुसंधान परिषद् विहित प्राधिकारी, द्वारा आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए अनुमोदित किया गया है। यह अधिसूचना 1 अप्रैल, 1974 से प्रभावी होगी।

संस्था

डिसोस्पिन रिसर्च फाउन्डेशन, इचलकरंजी जिला कोल्हापुर।

[सं० 647 (फ०सं० 203/31/74-आई०टा०प०-II)]

New Delhi, the 18th June, 1974

S.O. 1718.—It is hereby notified for general information that the institution mentioned below has been approved by Council of Scientific and Industrial Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income Tax Act, 1961. This notification takes effect from 1st April, 1974.

INSTITUTION

Decospin Research Foundation, Ichalkaranji Distt. Kolhapur.

[No. 647 (F. No. 203/31/74-ITA.II)]

नई दिल्ली, 19 जून, 1974

का० आ० 1719.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्न वर्णित संस्था को वैज्ञानिक तथा श्रीरामोगिक प्रनुसंधान परिषद् विहित प्राधिकारी, द्वारा आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए अनुमोदित किया गया है। यह अधिसूचना 1 अप्रैल, 1974 से प्रभावी है।

संस्था

टाटा एनर्जी रिसर्च इन्स्टीट्यूट, नई दिल्ली।

[सं० 648 (फ०सं० 203/47/74-आई०टी०ए०II)]

New Delhi, the 19th June, 1974

S.O. 1719.—It is hereby notified for general information that the institution mentioned below has been approved by Council of Scientific and Industrial Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961. This notification is effective from 1st April, 1974.

INSTITUTION

Tata energy research Institute, New Delhi.

[No. 648 (F. No. 203/47/74-ITA.II)]

नई दिल्ली, 20 जून 1974

का० आ० 1720.—सर्वसाधारण को जानकारी के लिए यह अधिसूचित किया जाता है कि निम्न वर्णित संस्था को वैज्ञानिक तथा श्रीरामोगिक प्रनुसंधान परिषद् विहित प्राधिकारी, द्वारा आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए अनुमोदित किया गया है। यह अधिसूचना 1 अप्रैल 1974 से प्रभावी है।

संस्था

मोदी साइंस फाउन्डेशन, मोदी नगर।

[सं० 649 (फ०सं० 203/27/74-आई०टी०ए०II)]

एम० के० पाण्डे, अवैद्य गविन

New Delhi, the 20th June, 1974

S.O. 1720.—It is hereby notified for general information that the institution mentioned below has been approved by council of Scientific and Industrial Research, the prescribed authority for the purposes of clause (II) of sub-section (1) of section 35 of the Income-tax Act, 1961. The notification takes effect from 1st April, 1974.

INSTITUTION

Modi Science Foundation, Modi Nagar.

[No. 649 (F. No. 203/27/74-ITA.II)]

M. K. PANDEY, Under Secy.

आदेश

नई दिल्ली, 13 जून 1974

स्टाम्प

का. आ. 1721.—केन्द्रीय सरकार, भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शीक्षकार्यों का प्रयोग करते हुए, उस शुल्क से, जो गुजरात राज्य वित्तीय निगम द्वारा जारी किए जाने वाले सभी लाख रुपयों के मूल्य के हिवेन्टरों के रूप में तदर्थ अंधपत्रों पर उक्त अधिनियम के अधीन प्रभारी हैं, छूट देती हैं।

[सं. 21/74-स्टाम्प-का. सं 471/32/74-सीमा. 7]

जे. रामाकृष्णन, अध्यक्ष सचिव

ORDER

New Delhi, the 13th July, 1974

STAMPS

S.O. 1721.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the ad hoc bonds in the form of debentures to the value of one hundred lakhs of rupees, to be issued by the Gujarat State Financial Corporation, are chargeable under the said Act.

[No. 21/74-Stamp/F. No. 471/32/74-Cus. VII]

J. RAMAKRISHNAN, Under Secy.

बैंकिंग विभाग

नई दिल्ली, 18 जून, 1974

का.प्रा. 1722.—राज्य वित्तीय निगम अधिनियम 1951 (1951 का 63), की धारा 46 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, एतद्वारा निवेश करती है कि उक्त अधिनियम की धारा 28 की उपधारा (2) और (3) के उपबन्ध तमिलनाडु इंडस्ट्रीयल कारपोरेशन लिं. मध्यम पर लागू होंगे।

[मं. एक 11-15/74-आई० एक० II]

विजय शुगानु, उप-सचिव

(Department of Banking)

New Delhi, the 18th June, 1974

S.O. 1722.—In exercise of the powers conferred by Section 46 of the State Financial Corporations Act, 1951 (63 of 1951), hereinafter referred to as "the Act", the Central Government hereby directs that the provisions of sub-sections (2) and (3) of section 28 of the Act shall apply to

the Tamil Nadu Industrial Investment Corporation Limited, Madras.

[F. No. 11-15/74/IF II]

V. K. SHUNGLU, Dy. Secy.

नई दिल्ली, 22 जून 1974

नि० सं० फा० 9-4(32)/72-बी० ओ० I (बौलूम, III)-4, तारीख 4 विसम्बर, 1972

का० आ० 1723.—केन्द्रीय सरकार राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकार्य उपबन्ध) स्कीम 1970 के खण्ड 3 के उपबन्ध (अ) के प्रतुसरण में भारतीय रिज़र्व बैंक से परामर्श करते के पश्चात् श्री एम०बी० भिन्नारदेवे अधिवक्ता विटा (खानपुर) को 22 जून 1974 से प्रारम्भ होने वाली और 21 जून, 1976 को समाप्त होने वाली अवधि के लिये बैंक आफ बांडोदा के निदेशक के रूप में नियुक्त करती है।

[सं० फ० 9-4/49/73 बी० ओ० I] डी०एम० मुकुरन्धकर, निदेशक

New Delhi, the 22nd June, 1974

Ref.: No. F. 9-4(32)/72-BO. I(Vol. III)-4, dated the 4th December, 1972

S.O. 1723.—In pursuance of sub-clause (f) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri L. B. Bhingardev, Advocate, Vita (Khanapur), to be a Director of Bank of Baroda, for the period commencing on 22nd June, 1974 and ending with 21st June, 1976.

[No. F. 9-4/49/73-BO I]

D. M. SUKTHANKAR, Director.

नई दिल्ली, 1 जूनार्दी, 1974

शुद्धिपत्र

का०आ० 1724.—भारत राजपत्र के 13 अप्रैल, 1974 के शंक के भाग II, खण्ड 3 (4) में, पृष्ठ 992 पर प्रकाशित हम विभाग की 26 मार्च, 1974 की अधिसूचना सं० 15(4) बी० ओ० III/7.1 में निम्नलिखित शुद्धि कर दी जाय --

(पक्ष 5) "यूनियन बैंक आफ इण्डिया, कलकत्ता" के स्थान पर "यूनाइटेड बैंक आफ इण्डिया, कलकत्ता" पड़े

[सं० 15(4) बी० ओ० III/7.4]

में भा० उमगायकर, अवर सचिव

New Delhi, the 1st July, 1974

CORRIGENDUM

S.O. 1724.—In the Hindi version of this Department's Notification No. 15(4)-B.O. III/74 dated the 26th March, 1974 published at page No. 922 of Part II, Section 3(ii) of the Gazette of India issue of 13th April, 1974, the following correction may be made:

(Line 5) FOR "Union Bank of India, Calcutta"

READ "United Bank of India, Calcutta"

[No. 15(4)-B.O. III/74] M. B. USGAONKAR, Under Secy.

रिजर्व बैंक आफ इंडिया

का० आ० 1725.—रिजर्व बैंक आफ इंडिया अधिनियम, 1934 के अनुसरण में 21 जून 1974 की तारीख को समाप्त हुए मन्त्रालय के निए नियम विभाग

नई दिल्ली, 28 जून, 1974

देयताएँ	रुपये	रुपये	आस्तिया	रुपये	रुपये
बैंकिंग विभाग में रखे हुए नोट	43,01,01,000		सोने का मिक्का और धूलियन		
मंचवान में नोट	65,15,21,57,000		(क) भारत में रखा हुआ	182,53,05,000	
जारी किये गये कुल नोट	65,88,22,58,000		(ख) भारत के बाहर रखा हुआ		
			विदेशी प्रतिभूतियाँ	166,73,97,000	
			जोड़		349,27,02,000
			रुपये का मिक्का		574,71,000
			भारत सरकार की रुपया प्रति- भूतियाँ		6233,20,85,000
			देशी विनियम बिल और दूसरे वाणिज्य-पत्र		
कुल देयताएँ	65,88,22,58,000		कुल आस्तियाँ		65,88,22,58,000

तारीख : 26 जून, 1974

एग० जगद्वार्थन, गवर्नर

21 जून, 1974 को रिजर्व बैंक आफ इंडिया के बैंकिंग विभाग के कार्यकालाप का विवरण

देयताएँ	रुपये	आस्तिया	रुपये
चुकता पूँजी	5,00,00,000	नोट	43,01,01,000
आरक्षित निधि	150,00,00,000	रुपये का मिक्का	4,44,000
राष्ट्रीय कृपि रक्षण (दीर्घकालीन क्रियाएँ) निधि	239,00,00,000	छोटा मिक्का	3,46,000
राष्ट्रीय कृपि रक्षण (स्थिरकरण) निधि	85,00,00,000	खरीदे और भुजाए गये बिल	
राष्ट्रीय ग्रौद्वारिक रक्षण (दीर्घकालीन क्रियाएँ) निधि	205,00,00,000	(क) देशी (ख) विदेशी	280,51,12,000
अमाशणियाँ—		(ग) सरकारी खजाना बिल	
(क) सरकारी		(ग) सरकारी खजाना बिल	149,69,64,000
(i) केन्द्रीय सरकार	61,69,32,000	विवेशों में रखा हुआ बकाया*	539,18,13,000
(ii) राज्य सरकारें	6,20,32,000	निवेश**	126,96,13,000
(ख) बैंक		ऋण और अग्रिम—	
(i) अनुसूचित वाणिज्य बैंक	594,62,58,000	(i) केन्द्रीय सरकार को	
(ii) अनुसूचित राज्य सहकारी बैंक	16,32,89,000	(ii) राज्य सरकारों को	193,50,44,000
(iii) गैर अनुसूचित राज्य गहकारी बैंक	1,27,24,000	ऋण और अग्रिम—	
(iv) अन्य बैंक	84,37,000	(i) अनुसूचित वाणिज्य बैंकों को (ii) राज्य सहकारी बैंकों को % (iii) दूसरों को	458,60,35,000 173,38,29,000 14,84,30,000
		राष्ट्रीय कृपि रक्षण (दीर्घकालीन क्रियाएँ) निधि से ऋण, अग्रिम और निवेश	
		(क) ऋण और अग्रिम—	
		(i) राज्य सरकारों को	67,92,94,000
		(ii) राज्य सहकारी बैंकों को	15,64,85,000
		(iii) केन्द्रीय भूमियत्वक बैंकों को	
		(iv) कृपि पुनर्वित निगम को	36,50,00,000

देयताएँ	रुपये	प्राप्तिया	रुपये
(ग) प्रन्थ	364,47,34,000	(अ) केन्द्रीय भूमिकात्थक बैंकों के डिब्बेचरों में निवेश	11,13,14,000
वेय बिल	113,46,47,000	राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से ऋण और अग्रिम राज्य सहकारी बैंकों को ऋण और अग्रिम	43,60,12,000
अन्य देयताएँ	706,39,15,000	राष्ट्रीय औद्योगिक ऋण (वीर्धकालीन क्रियाएँ) निधि से प्रग्राम और निवेश	
		(क) विकास बैंक को ऋण और अग्रिम	176,05,61,000
		(ख) विकास बैंक द्वारा जारी किये गये बांडो/डिब्बेचरों में निवेश	
		प्रन्थ प्राप्तिया	168,65,71,000
रुपये	2549,29,68,000	रुपये	2549,29,68,000

* नकदी, आवधिक जमा और अल्पकालीन प्रतिशूलियां शामिल हैं।

**राष्ट्रीय कृषि ऋण (वीर्धकालीन क्रियाएँ) निधि और राष्ट्रीय औद्योगिक ऋण (वीर्धकालीन क्रियाएँ) निधि में से किये गये निवेश शामिल नहीं हैं।

† राष्ट्रीय कृषि ऋण (वीर्धकालीन क्रियाएँ) निधि से प्रदत्त ऋण और अग्रिम शामिल नहीं है, परन्तु राज्य सरकारों को दिये गये अस्थायी औवरड्रॉफ्ट शामिल है।

‡ रिजर्व बैंक आफ इंडिया अधिनियम की धारा 17(4)(ग) के अधीन अनुसूचित व्याणिज्य बैंकों को मियावी बिलों पर अग्रिम दिये गये 167,40,23,000 रुपये शामिल हैं।

%राष्ट्रीय कृषि ऋण (वीर्धकालीन क्रियाएँ) निधि और राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि में प्रदत्त ऋण और अग्रिम शामिल नहीं है।

[स० फा० 10/1/74 बी० औ० I]

तारीख : 26 जून, 1974

क्र०व० मीरचन्दानी, अक्षर मचिव

एम० जगन्नाथन, गवर्नर

RESERVE BANK OF INDIA

S. O. 1725.—An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 21st day of June, 1974

ISSUE DEPARTMENT

New Delhi, the 28th June, 1974

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking De- partment	43,01,01,000		Gold Coin and Bullion:— (a) Held in India	182,53,05,000	
Notes in circulation	6545,21,57,000		(b) Held outside India	..	
Total Notes issued	6588,22,58,000		Foreign Securities	166,73,97,000	
			Total	349,27,02,000	
			Rupee Coin	5,74,71,000	
			Government of India Rupee Securities	6233,20,85,000	
			Internal Bills of Exchange and other Commercial pa- per	..	
Total Liabilities	6588,22,58,000		Total Assets	6588,22,58,000	

Dated : the 26th June, 1974.

S. JAGANNATHAN, Governor.

Statement of the Affairs of the Reserve Bank of India, Banking Department as on the 21st June, 1974

Liabilities	Rs.	Assets	Rs.
Capital Paid up	5,00,00,000	Notes	43,01,01,000
Reserve Fund	150,00,00,000	Rupee Coin Small Coin	4,44,000 3,46,000
National Agricultural Credit (Long Term Operations) Fund	239,00,00,000	Bills Purchased and Discounted:— (a) Internal (b) External	280,51,12,000 ..
National Agricultural Credit (Stabilisation) Fund	85,00,00,000	(c) Government Treasury Bills Balances Held Abroad* Investments**	149,69,64,000 589,18,13,000 126,96,13,000
National Industrial Credit (Long Term Operations) Fund	205,00,00,000	Loans and Advances to:— (i) Central Government (ii) State Governments@	.. 193,50,44,000
		Loans and Advances to:—	
Deposits:—		(i) Schedule Commercial Banks†	458,60,35,000
(a) Government		(ii) State Co-operative Banks‡	173,38,29,000
(i) Central Government	61,69,32,000	(iii) Others	14,84,30,000
(ii) State Governments	6,20,32,000	Loans Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	
(b) Banks		(a) Loans and Advances to:—	
(i) Scheduled Commercial Banks	594,62,58,000	(i) State Governments	67,92,94,000
(ii) Scheduled State Co-operative Banks	16,32,89,000	(ii) State Co-operative Banks	15,64,85,000
(iii) Non-Scheduled State Co-operative Banks	1,27,24,000	(iii) Central Land Mortgage Banks	..
(iv) Other Banks	84,37,000	(iv) Agricultural Refinance Corporation	36,50,00,000
(c) Others	364,47,34,000	(b) Investment in Central Land Mortgage Bank	
Bills Payable	113,46,47,000	Debentures Loans and Advances in from National Agricultural Credit (Stabilisation) Fund	11,13,14,000
		Loans and Advances to State Co-operative Banks	43,60,12,000
		Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund	
		(a) Loans and Advances to the Development Bank	175,05,61,000
		(b) Investment in bonds/debentures issued by the Development Bank	..
Other Liabilities	706,39,15,000	Other Assets	168,65,71,000
Rupess	2549,29,68,000	Rupees	2549,29,68,000

*Includes Cash, Fixed Deposits and Short-term Securities.

** Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 167,40,23,000 advanced to scheduled commercial Banks against usance Bills under Section 17(4)(c) of the Reserve Bank of India Act.

‡Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 26th June 1974

S. JAGANNATHAN, Governor.
 [No. F. 10(1)/74-BO. I]
 (C.W. MIRCHANDANI, Under Secy.)

(आधिक कार्य विभाग)

नई विल्ली, 18 जून, 1974

का० आ० 1726.—संविधान के अनुच्छेद 309 के परन्तुके द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, राष्ट्रपति गण्डीय बचत संगठन (तीसरी और चौथी श्रेणी के पद) भर्ती नियमावली, 1960 में और संशोधन करने के लिए एवं द्वारा निम्नलिखित नियम बनाते हैं, अर्थात्—

1 (1) इन नियमों को गण्डीय बचत संगठन (तीसरी और चौथी श्रेणी के पद) भर्ती (संशोधन) नियमावली, 1974 कहा जाय।

(2) ये नियम, सरकारी राजपत्र में उनके प्रकाशन की तिथि से लागू होंगे।

2. गण्डीय बचत संगठन (तीसरी और चौथी श्रेणी के पद) भर्ती नियमावली, 1960 की अनुसूची में, भाग II—प्रावेशिक कार्यालय, शीर्षक के अन्तर्गत क्रम संख्या 2 और उससे संबद्ध प्रवृत्तियों के स्थान पर निम्नलिखित लिखा जायगा, अर्थात्—

1	2	3	4	5	6	7	8
2	जिला बचत प्रधिकारी	548	भारात्य केन्द्रीय सेवा तीसरी श्रणी अग्रज- पत्रिम, अनन्तुमचिवीय	425-15-500-द०गो०० लागू नहीं होता 15-560-20-700 सप्तम	न्यूतम : 22 श्रधिकतम : 27	आवधार्ता : किसी मान्यताप्राप्त विष्वविद्यालय की दिग्गी। जन सम्पर्क, सार्वजनिक भाषण देने और बिक्रीकारी का एक बर्च का अनुभव।	
9	10	11	12	13	14		
लागू नहीं होता	2 वर्ष	80 प्रतिशत सीधी भर्ती व 20 प्रतिशत सीधी भर्ती व 20 प्रतिशत पदोन्नति :	प्रतिशत पदोन्नति :	लागू नहीं होता			
			प्रपने पदकम में तीन वर्ष की सेवा वाले उच्च श्रणी लिपिक और आणु- लिपिका विभागीय परीक्षा के जरिए उच्च श्रणी लिपिकों और आणु- लिपिकों में से चुनाव।				

[संख्या 16(42)-एन० एम०/70]

(Department of Economic Affairs)

New Delhi, the 18th June, 1974.

S.O. 1726.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the National Savings Organisation (Class III and Class IV posts) Recruitment Rules, 1960, namely:—

1. (1) These rules may be called the National Savings Organisation (Class III and Class IV posts) Recruitment (Amendment) Rules 1974.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Schedule to the National Savings Organisation (Class III and Class IV posts) Recruitment Rules, 1960, under the heading "Part II—Regional Offices", for serial No. 2 and the entries relating thereto, the following shall be substituted, namely:—

1	2	3	4	5	6	7	8
2.	District Savings Officer	548	General Central Service	Rs. 425-15-500- EB-15-560-20- 700	Not applicable	Min: 22 Max: 27	Essential: Degree of a recognised Uni- versity. Desirable One year's experience in Public relations work, public speaking and salesmanship.
9	10	11	12	13	14		
Not applicable	2 years	80% by direct recruit- ment, 20% by pro- tion.	Promotion: Upper Division Clerks and Stenographers with three years service in the grade. Selection from amongst Upper Division Clerks and Steno- graphers through a depart- mental examination.	Not applicable.			

[No.16(42)-NS/70]

का० आ० 1727.—संविधान के अनुच्छेद 309 के परन्तुका के द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, राष्ट्रपति एवं द्वारा राष्ट्रीय संगठन (तीसरी श्रेणी और चौथी श्रेणी के पद) भर्ती नियमावली, 1960 में और संशोधन करने के लिए निम्नलिखित नियम बनाए हैं; अर्थात्—

1. (1) इन नियमों को राष्ट्रीय बचत संगठन (तीसरी श्रेणी और चौथी श्रेणी के पद) भर्ती (संशोधन) नियमावली, 1974 कहा जाये।

(2) ये नियम, सरकारी ग्रामपंच में उनके प्रकाशन की तिथि से लागू होंगे।

2. राष्ट्रीय बचत संगठन (तीसरी श्रेणी और चौथी श्रेणी के पद) भर्ती नियमावली, 1960 की अनुसूची में 'भाग I—मुख्यालय कार्यालय' शीर्षक के अन्तर्गत श्रम संबंध 1 और उससे संबद्ध प्रवृत्तियों के स्थान पर निम्नलिखित लिखा जायगा, अर्थात्—

1	2	3	4	5	6	7	8
9	10	11	12	13	14		
1. सहायक	16	तीसरी श्रेणी अग्रज- प्रक्रिया अनुसंचिकित्य	425-15-500-द०रो०- 15-560-20-700- द०रो०-25-800 रुपये	प्रवरण	न्यूनतम 21 अधिकतम 24	प्रतिवार्षीय किसी मान्यताप्राप्त विश्वविद्यालय की डिग्री	
स्थाई तथा अर्द्ध-स्थाई	दो वर्ष	पदोन्नति के द्वारा ऐसा न होने पर प्रतिनियुक्ति/स्थानान्तरण के अधीन लिपिक	पदोन्नति/मुख्यालय कार्यालय में उच्च				
के संबंध में नहीं :		द्वारा ऐसा न होने पर सीधी भर्ती के द्वारा ।	2. नेत्रायापन				
प्रत्यो के संबंध में ही			3. आमालिपिक				
			गाष्ट्रीय बचत आयुक्त का कार्यालय प्रतिनियुक्ति				
			1. प्रादेशिक कार्यालयों के मुख्य लिपिक				
			2. प्रादेशिक कार्यालयों के उच्च अधीन लिपिक				
			स्थानान्तरण				
			1. केन्द्रीय सरकार के अन्य विभागों के कर्मचारी				
			2. राज्य सरकारों के कर्मचारी				

[का० 14(4)/प्रम 0 प्रम 0/73]

ए० श्री० श्रीनिवासन, अव० सचिव

S.O. 1727.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the National Savings Organisation (Class III and Class IV posts) Recruitment Rules, 1960, namely:—

1. (1) These rules may be called the "National Savings Organisation (Class III and Class IV posts) Recruitment (Amendment) Rules 1974."

(2) They shall come into force on the date of publication of these rules in the official gazette.

2. In the Schedule to the National Organisation (Class III and Class IV posts) Recruitment Rules, 1960 under the heading "Par I-Headquarters office" for in serial number 1 and the entries relating thereto, the following shall be substituted, namely:—

1	2	3	4	5	6	7	8
9	10	11	12	13	14		
1. Assistant	16	Class III Non-gazetted Ministerial	Rs. 425-15-500- EB-15-560-20- 700-EB-25-800	Selection	Min: 21 Max: 24	Essential: A degree of a recognised University.	
No in the case of permanent and quasipermanent: Yes for others.	2 Years	By promotion failing which by deputation/transfer failing which direct recruitment.	by	Promotion: 1. Upper Division Clerks at Headquarters office 2. Accountant. 3. Stenographer office of the N.S.C. Deputation: 1. Head Clerks of Regional offices. 2. Upper Division Clerks Regional office. Transfers: 1. Central Govt. Servants from other Departments. 2. State Govt. Servants			

[F 14(4) NS/73]

A. V. SRINIVASAN' Under Secy.

(Department of Expenditure)
New Delhi, the 1st July, 1974

S.O. 1728.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and of all other powers enabling him in this behalf, the President, after consultation with the Comptroller and Auditor-General of India in respect of persons serving in the Indian Audit and Accounts Department, hereby makes the following rules further to amend the General Provident Fund (Central Services) Rules, 1960, namely:—

1. (1) These rules may be called the General Provident Fund (Central Services) (Fifth Amendment) Rules, 1974.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the General Provident Fund (Central Services) Rules, 1960, for sub-rule (3) of rule 16, the following sub-rule shall be substituted, namely:—

(3) (a) A subscriber who has been permitted under clause (d) clause (e) or clause (f) of sub-rule (i) of 15 to withdraw money from the amount standing to his credit in the Fund, shall not part with the possession of the house built or acquired or house-site purchased with the money so withdrawn, whether by way of sale, mortgage (other than mortgage to the President) gift, exchange or otherwise, without the previous permission of the President:

Provided that such permission shall not be necessary for:

(i) the house or house-site being leased for any term not exceeding three years, or

(ii) its being mortgaged in favour of a Housing Board, the Life Insurance Corporation or any other corporation owned or controlled by the Central Government which advances loans for the construction of a new house or for making additions or alterations to an existing house.

(b) The subscriber shall submit a declaration not later than the 31st day of December of every year as to whether the house or the house-site, as the case may be, continues to be in his possession or has been mortgaged, otherwise transferred or let out as aforesaid and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale, mortgage or lease deed and also the documents on which his title to the property is based.

(c) If, at any time before his retirement, the subscriber parts with the possession of the house or house-site without obtaining the previous permission of the President, he shall forthwith repay the sum so withdrawn by him in a lump sum to the Fund, and, in default of such repayment, the sanctioning authority shall, after giving the subscriber a reasonable opportunity of making a representation in the matter, cause the said sum to be recovered from the emoluments of the subscriber either in a lump sum or in such number of monthly instalments, as may be determined by it".

[No. 13(1)-EV(B)/73-GPF]

New Delhi, the 28th June, 1974

S.O. 1729.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and of all other powers enabling him in this behalf, the President, after consultation with the Comptroller and Auditor-General of India in respect of persons serving in the Indian Audit and Accounts Department, hereby makes the following rules further to amend the Contributory Provident Fund Rules (India), 1962, namely:—

1. (1) These rules may be called the Contributory Provident Fund (India) (Second Amendment) Rules, 1974.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Contributory Provident Fund Rules (India), 1962, for sub-rule (3) of rule 17, the following sub-rule shall be substituted, namely:—

(3)(a) A subscriber who has been permitted under clause (d), clause (e) or clause (f) of sub-rule (1) of rule 16 to withdraw money from the amount of subscription together with interest thereon standing to his credit in the Fund, shall not part with the possession of the house built or acquired or house-site purchased with the money so withdrawn, whe-

ther by way of sale, mortgage (other than mortgage to the President) gift, exchange or otherwise without the previous permission of the President:

Provided that such permission shall not be necessary for—

(i) the house or house-site being leased for any term not exceeding three years, or

(ii) its being mortgaged in favour of a Housing Board, the Life Insurance Corporation or any other corporation owned or controlled by the Central Government which advances loans for the construction of a new house or for making additions or alterations to an existing house.

(b) The subscriber shall submit a declaration not later than the 31st day of December of every year as to whether the house or the house-site, as the case may be, continues to be in his possession or has been mortgaged, otherwise transferred or let out as aforesaid and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale, mortgage or lease deed and also the documents on which his title to the property is based.

(c) If at any time before his retirement, the subscriber parts with the possession of the house or house-site without obtaining the previous permission of the President, he shall forthwith repay the sum so withdrawn by him in a lump sum to the Fund, and, in default of such repayment, the sanctioning authority shall, after giving the subscriber a reasonable opportunity of making a representation in the matter, cause the said sum to be recovered from the emoluments of the subscriber either in a lump sum or in such number of monthly instalments, as may be determined by it."

[No. 13(1)-EV(B)/73-CPF]

S. S. L. MALHOTRA, Under Secy.

OFFICE OF THE COLLECTOR OF CENTRAL
EXCISE, GUNTUR (A.P.)

Guntur, the 17th August, 1973

S.O. 1730.—Amendment to Notification No. 1/71 CE dt. 4-6-71 (appearing at P. 684 to 689 of Gazette of India).

Against Sl. No. 20, in Col. 4 for the figures Rs. 750/- against Deputy Collector, read "Rs. 1,500/-".

S.O. 1731.—Addendum to the office Notification No. 3/71CE dt. 13-12-71. Attention is invited to this office Notification cited above. In the said notification the words "Metal Containers" may be added in Col. 4 against S. No. 2 for items of prepared or preserved foods noted in Sl. No. 1 to 19 of Col. 3.

A. S. I. JAFFAR, Collector.

Guntur, the 29th August, 1972

S.O. 1732.—Corrigenda to this office Notification No. 2/71 dt. 19-8-71 CE appearing on page 918 in sub-sec. (iii)—Sec. 3—Part II of Gazette dated 26-2-72.

The place of issue of Notification printed at the top of the Notification as "New Delhi" should be read as "Guntur".

S.O. 1733.—Corrigenda to this office Notification No. 1/71 CE dt. 4-6-71 (appearing in P. 684-689, in sub-sec. (iii) Sec. 3, Part II of Gazette of India dt. 5-2-72.

- (i) In page 684, under Col. 4 in last but one line the letters "N. F" should be read as "M. F".
- (ii) In page 686 under Col. 4, in line 33, against Sl. No. 36, the figures & words "4 days" should be read as "5 days".
- (iii) In page 687 under Col. 2 in last but one line against Sl. No. 58 the number of the Rule is printed as "127-3/L". It should read as "173-L".
- (iv) In page 688, under Col. 4, line 2 against Sl. No. 64, the words "Leorts" should be read as "Ports".

(v) In page 689, under Col. 3, in line one, the word "ran" should be read as "rank".

[C. No. II/8/1/71-MP. 2(St)]

N. C. PURAKAYASTHA, Asst. Collector.

केन्द्रीय उत्पादन शुल्क समाहर्ता कार्यालय, विल्ली

(केन्द्रीय उत्पादन शुल्क)

नई दिल्ली, 21 जून, 1974

का० आ० 1734—केन्द्रीय उत्पादन शुल्क नियमावली, 1944 के नियम 5 के अन्तर्गत प्रदेश शक्तियों का प्रयोग करने हुए, ये केन्द्रीय उत्पादन शुल्क के महायक समाहर्ता के और उसमें ऊर के पद के अधिकारियों को एवं द्वारा यह प्राधिकार देता है कि वे अपने ग्राने कार्यक्रम में, केन्द्रीय उत्पादन शुल्क नियमावली, 1944 के नियम 173-जी(1) के परस्तुक (iii) के अधीन समाहर्ता की शक्तियों का प्रयोग करें।

[(1/74) सी० संख्या iv (16) 38 सी ई/73]

एम० एम० मेहता, समाहर्ता

CENTRAL EXCISE COLLECTORATE, DELHI

New Delhi the 21st June, 1974

(Central Excises)

S.O. 1734.—In exercise of the powers conferred upon me under Rule 5 of the Central Excise Rules, 1944, I hereby authorise Officers of and above the rank of an Assistant Collector of Central Excise to exercise within their respective jurisdictions, the powers of the Collector under proviso (iii) to Rule 173-G(1) of the Central Excise, Rules, 1944.

[No. (1/74) C. No. IV (16) 38 CE/73]

M. S. MEHTA, Collector.

विदेश मंत्रालय

(समन्वय एवं हज़)

नई दिल्ली, 22 जून, 1974

का० आ० 1735.—हज समिति अधिनियम 1951 (सं० 1959 का 51 अं०) की धारा 6 की उप-धारा (5) के अनुसार हज समिति बम्बई के उपायकर्यों में से एक पर उत्तर प्रदेश के विधान सभा मदस्य श्री मुसलाज शोहम्मद खान का चुनाव, जीता गया था। उत्तर प्रदेश के विधान सभा मदस्य द्वारा रिक्त किए गए पर पर अरमाण अधिकार के लिए, एवं द्वारा प्रधिमूचित किया जाना है।

[स० एम० 118-1/22/73]

साई एम० हाशमी, निदेशक

MINISTRY OF EXTERNAL AFFAIRS

(Haj Cell)

New Delhi, the 22nd June, 1974

S. O. 1735.—In pursuance of sub-section (5) of Section 6 of the Haj Committee Act 1951 (No. 51 of 1959), the election of Shri Mumtaz Mohammed Khan, M.L.A. of U.P. as one of the Vice-Presidents of the Haj Committee, Bombay, for the un-expired period of office vacated by Maulana Asad Madani, M.P., is hereby notified.

[No. M. 118-1/22/73]

SAAD M. HASHMI, Director.

पेट्रोलियम और रसायन मंत्रालय

नई दिल्ली, 29 जून, 1974

का० आ० 1736.—यतः केन्द्रीय सरकार को यह प्रसीत होता है कि सोकहित में यह आवश्यक है कि गुजरात राज्य में सानन्द 17 से सानन्द 27 तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिलाई जानी आहिए।

और यतः, यह प्रतीत होता है कि ऐसी जानी को बिलासे के प्रयोग के लिए एवं द्वारा अनुसूची में वर्णित भूमि में उपयोग का प्रधिकार अंजित करना आवश्यक है।

अतः, अब, पेट्रोलियम पाइपलाइन (भूमि में उपयोग के प्रधिकार का प्रज्ञन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार ने उसमें उपयोग का प्रधिकार अंजित करने का अपना प्राप्त अधिकार एवं द्वारा धोखित किया है।

यसमें कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उम भूमि के नीचे पाइपलाइन बिलाने के लिए आक्षेप समक्ष प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देवभाल प्रभाग मकरपुरा राड, वरीश-9 का इस अधिवृक्षा की तारीख से 21 वर्षों के भीतर कर सकेगा।

प्रौर ऐसा आक्षेप करने वाला हर व्यक्ति विनिविष्ट: यह भी कथन करेगा कि क्या वह कहता है कि उसकी सुनवाई अधिकार ही या किसी विधि व्यवसायों की मार्फत।

मनुसूची

क्षुधां संख्या सानन्द-17 से सानन्द-27 तक पाइपलाइन बिलाने हेतु

राज्य: गुजरात	तालुका: कलोल	जिला: महसाना	
ग्राम	सर्वेक्षण संख्या	हैक्टर ए आर है ए आर है	(5)
(1)	(2)	(3)	(4)
हाजीपुर	697/2-बी	0	5
	697/1	0	3
	691/2	0	8
	692/पैकी	0	4
	722/1	0	10
	722/2	0	0
	687	0	7
	685	0	16
	684	0	4
	683	0	3
काटं ट्रैक	0	0	50
6713	0	2	50
672/1	0	0	50
672/2	0	12	69
674	0	10	98
675/1	0	3	05
678/1	0	5	61
678/2	0	5	98
677	0	5	98
659	0	2	93

[संख्या 12016/5/74-एल एण्ड एल/11]

बी० आर० भला, अधर सचिव

MINISTRY OF PETROLEUM AND CHEMICALS

(Department of Petroleum)

New Delhi, the 29th June, 1974

S. O. 1736.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Sanand-17 to Sanand-27 in Gujarat State Pipelines should be laid by the Oil and Natural Gas Commission;

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to

the laying of the pipelines under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For laying Pipeline from Well No. Samad-17 to Sunand-27

STATE : Gujarat TALUKA : Kalol District Mehsana

Village	Survey No.	Hectare	Are	P.Arc.
1.	2.	3.	4.	5.
Hajipur	697/2-B	0	5	37
	697/1	0	3	42
	691/2	0	8	66
	692/Paiki	0	4	39
	722/1	0	10	61
	722/2	0	0	50
	687	0	7	32
	685	0	16	47
	684	0	4	88
	683	0	3	66
	Cart track	0	0	50
	671/3	0	2	50
	672/1	0	0	50
	672/2	0	12	69
	674	0	10	98
	675/1	0	3	05
	678/1	0	5	61
	678/2	0	5	98
	677	0	5	98
	639	0	2	93

[No. 12016/5/74-L & L/II
B. R. BHALLA, Under Secy.

स्वास्थ्य शोर परिवार नियोजन मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 15 जून, 1974

का० शा० 1737.—यतः दस्त चिकित्सा अधिनियम 1948 (1948 का 16) की धारा 3 के खण्ड (घ) के उपबन्धों का अनुसरण करते हुए निम्नलिखित व्यक्तियों को उनके समक्ष दूसरे कालम में उल्लिखित विश्वविद्यालय द्वारा कालम तीन में वर्णिय गयी गयी नियावित तिथि से भारतीय दस्त चिकित्सा परिषद् का सदस्य नियावित किया गया है; नामतः—

व्यक्ति का नाम	नियावित विश्वविद्यालय नियावित तिथि का नाम	
1	2	3
1. डा० एम० रामचन्द्रन से स्थान पर बंगलौर विश्वविद्यालय	27-3-74	
जो इस अधिनियम की धारा 7 की उपधारा (3) के प्रधीन अब इस परिषद् के सदस्य नहीं रहे डा० ए० राजेन्द्र प्रसाद दस्त-चिकित्सा के प्राध्यापक राजकीय दस्त चिकित्सा कालेज, बंगलौर।		
2. डा० एम० एल० मार्गी जो इस इन्दौर विश्वविद्यालय	5-3-74	
अधिनियम की धारा 7 की उपधारा (3) के प्रधीन इस परिषद् के सदस्य अब नहीं रहे डा० ए० के० दास प्रधानाचार्य, दस्त चिकित्सा-कालेज, इन्दौर।		

प्रौर यतः उक्त अधिनियम की धारा 3 के खण्ड (घ) के उपबन्धों का अनुसरण करते हुए बिहार मरकार ने डा० जय चन्द्र एम० एन० डी० एस०, आर०सी० एम० प्रधानाचार्य पटना दस्त चिकित्सा कालेज तथा अस्पताल पटना को 14 जनवरी 1974 से उक्त परिषद् का सदस्य मनोनीत किया है।

प्रब यतः उक्त अधिनियम की धारा 3 के उपबन्धों का अनुसरण करते हुए केंद्रीय मरकार एन्डडारा निवेश देती है कि डा० जय चन्द्र जिनका नाम भूतपूर्व स्वास्थ्य मंत्रालय की दिनांक 17 अक्टूबर 1962 की प्रधिसूचना संख्या एफ०-3-3/62 नि० II में “धारा 3 के खण्ड (घ) के अधीन नियावित व्यक्ति” शीर्षक के अन्तर्गत दस्त संख्या 4 के सामने है, भारतीय दस्त चिकित्सा परिषद् के सदस्य बने रहेंगे तथा उक्त अधिसूचना में वह आगे और निम्नलिखित संशोधन करती है, नामतः—

उक्त अधिसूचना में “धारा 3 के खण्ड (घ) के अधीन नियावित व्यक्ति” शीर्षक के अन्तर्गत दस्त संख्या 10 तथा 12 के सामने की प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियों प्रतिविधिया प्रतिस्थापित की जायेगी; नामतः—

“10 डा० ए० राजेन्द्र प्रसाद

प्राध्यापक, दस्त चिकित्सा

राजकीय दस्त चिकित्सा कालेज, बंगलौर।

12. डा० ए० के० दास

प्रधानाचार्य, दस्त चिकित्सा कालेज, इन्दौर।”

[सं० वी० 12013/1/72-एम० पी० टी०]
कुमारी सती आलक्षण्या, प्रब र सचिव

MINISTRY OF HEALTH & FAMILY PLANNING

(Department of Health)

New Delhi, the 15th June, 1974.

S.O. 1737 Whereas in pursuance of the provisions of clause (d) of section 3 of the Dentists Act, 1948 (16 of 1948), the following persons have been elected by the University specified against each of them in the second column to be members of the Dental Council of India with effect from the date of election shown against each in the 3rd column, namely:—

Name of persons	Name of the University which elected him	Date of election
1. Dr. A. Rajendra Prasad, Professor of Orthodontics, Government Dental College, Bangalore vice Dr. S. Ramachandra who has ceased to be a member of the Council under sub-section (3) of section 7 of the Act.	Bangalore University	27-3-1974
2. Dr. A.K. Das, Principal, College of Dentistry, Indore vice Dr. S.L. Mangi who has ceased to be a member of the Council under sub-section (3) of section 7 of the Act.	University of Indore	5.3.1974

And whereas the State Government of Bihar has, in pursuance of the provisions of clause (e) or section 3 of the said Act, re-nominated Dr. Jai Chandra, MBBS, LDS, RCS, Principal, Patna Dental College and Hospital, Patna, to be a member of the said Council with effect from the 14th January, 1974;

Now, therefore, in pursuance of the provisions of section 3 of the said act the Central Government hereby directs that Dr. Jai Chandra, whose name appears against serial No.-4 under the heading “Nominated under clause (c) of section 3” in the notification of the Government of India in the late Ministry of Health No. F.3-2/62-MII dated the 17th October, 1962, shall continue to be a member of the Dental Council of India and

makes the following further amendments in the notification cited above, namely:—

In the said notification, under the heading "Elected under clause (d) of section 3", for the entries against serial Nos. 10 and 12, the following entries shall be substituted, namely:—

10. Dr. A. Rajendra Prasad,
Professor of Orthodontia,
Government Dental College,
Bangalore.

12. Dr. A.K. Das,
Principal, College of Dentistry,
Indore."

[No. V 12013/1/72-MPT]

MISS SATHI BALAKRISHAN, Under Secy.

नई दिल्ली 27 जून, 1974

का०ग्रा० 1738. भारतीय चिकित्सा परिषद् अधिनियम 1956 (1956 का 102) की धारा 11 की उपधारा (2) द्वारा प्रदत्त पार्कियो का प्रयोग करने वाले केन्द्रीय सरकार भारतीय चिकित्सा परिषद् में परामर्श करने के बाद एन्ड द्वारा उक्त अधिनियम की पहली अनुमती में निम्नलिखित संशोधन करती है नामत:—

उक्त अनुमती में—

(1) कलकत्ता विश्वविद्यालय से संबंधित प्रविष्टियों में "विसंगाशास्त्र में डिप्लोमा.....डी० एम० कलकत्ता" प्रविष्टि के बाद निम्नलिखित प्रविष्टिया अन्त स्थापित की जायेगी नामत:—

मास्टर आफ सर्जरी (जनरल सर्जरी) एम०एम० (जनरल सर्जरी) कलकत्ता।

डा० आफ मैडिसिन (जनरल मैडिसिन) एम०डी० (जनरल मैडि०) कलकत्ता।

डा० आफ मैडिसिन (त्वचा विज्ञान) एम०डी० (त्वचा विज्ञान) कलकत्ता।

मास्टर आफ सर्जरी (विकारोग विज्ञान) एम०एस० (विक०) कलकत्ता।

विकिरण विज्ञान तथा नैवानिक शास्त्र में डिप्लोमा डी० एम० प्रार० डी० कलकत्ता।

चिकित्सा चिकिरण विज्ञान तथा चिकित्सा में डिप्लोमा डी० एम० प्रार० डी० कलकत्ता।

मास्टर आव सर्जरी (प्रसृति तथा स्त्रीरोग विज्ञान) एम०एम० (प्रसृ० तथा स्त्री रोग विज्ञान) कलकत्ता।

डाक्टर आफ मैडिसिन (प्रसृति तथा स्त्री रोग विज्ञान) एम०डी० (प्रसृ० तथा स्त्रीरोग विज्ञान) कलकत्ता।

(ii) दिल्ली विश्वविद्यालय से संबंधित प्रविष्टियों में "मास्टर आफ सर्जरी (प्लास्टिक सर्जरी) एम० सी-एच० (प्लास्टिक सर्जरी) दिल्ली" प्रविष्टि के बाद निम्नलिखित प्रविष्टिया अन्त स्थापित की जायेगी नामत:—

डाक्टर आफ मैडिसिन (प्रोयथाशास्त्र) एम०डी० (फार्मा०) दिल्ली।

डाक्टर आफ मैडिसिन (हृदयरोग विज्ञान) डी० एम० (हृदयरोग विज्ञान) दिल्ली।

(iii) मदुरई विश्वविद्यालय से संबंधित प्रविष्टियों में "डाक्टर आफ

मैडीसिन (रोग विज्ञान) एम०डी० (रोग विज्ञान) मदुरई" प्रविष्टि के बाद निम्नलिखित प्रविष्टियों अन्त स्थापित की जायेगी नामत:—

"विकलाग विज्ञान में डिप्लोमा डी० आर्थ० मदुरई।

मास्टर आफ सर्जरी (बालरोग गर्जरी) एम०ए०-ए० (विक० मर्जरी) मदुरई।

डाक्टर आफ मैडीसिन (बालरोग चिकित्सा) एम०डी० (बालरोग चिकित्सा) मदुरई।

(iv) कर्मीर विश्वविद्यालय से संबंधित प्रविष्टियों में "बैचलर आफ मैडीसिन एण्ड बैचलर आफ सर्जरी" एम० डी० एम० कर्मीर" प्रविष्टि के बाद निम्नलिखित प्रविष्टिया अन्त स्थापित की जायेगी नामत:—

"डाक्टर आफ मैडीसिन (जनरल मैडीसिन) एम० डी० (जनरल मैडीसिन) कर्मीर।

डाक्टर आफ मैडीसिन (कार्यचिकित्सा) एम०डी० (कार्यचिकित्सा) कर्मीर।

डाक्टर आफ मैडीसिन (प्रसृति तथा स्त्रीरोग विज्ञान) एम०डी० (प्रसृ० तथा स्त्रीरोग विज्ञान) कर्मीर।"

[म० डी० 11015/13/74 एम० डी० डी०]

डी० के० दाम, अवर सचिव

New Delhi, the 27th June, 1974

S.O 1738 In exercise of the powers conferred by sub-section (2) of section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following amendments in the First Schedule to the said Act, namely:—

In the said Schedule—

(i) in the entries relating to the University of Calcutta, after the entry "Diploma in AnaesthesiologyD.A., Cal.", the following entries shall be inserted, namely:—

'Master of Surgery (General Surgery)—M.S. (Genl. Surg.), Cal.

Doctor of Medicine (General Medicine)—M.D. (Genl. Med.), Cal.

Doctor of Medicine (Dermatology)—M.D. (Derm.), Cal.
Master of Surgery (Orthopaedics)—M.S. (Orth.), Cal.

Diploma in Medical Radiology and Diagnosis—D.M.R.D., Cal.

Diploma in Medical Radiology and Therapy—D.M.R.T., Cal.

Master of Surgery (Obstetrics and Gynaecology)—M.S. (Obst. & Gynaec.), Cal.

Doctor of Medicine (Obstetrics and Gynaecology)—M.D. (Obst. & Gynaec.), Cal.

(ii) in the entries relating to the University of Delhi, after the entry "Master of Surgery (Plastic Surgery)—M.Ch. (Plastic Surgery), Delhi," the following entries shall be inserted, namely:—

"Doctor of Medicine (Pharmacology)—M.D. (Pharm.), Delhi.

Doctor of Medicine (Cardiology)—M.D. (Cardiology), Delhi.

(i) in the entries relating to the Madurai University, after the entry "Doctor of Medicine (Pathology)—M.D. (Pathology), Madurai," the following entries shall be inserted, namely:

"Diploma in Orthopaedics—D.Orth., Madurai

Master of Surgery (Paediatric Surgery)—M.Ch. (Paed. Surg.), Madurai

Doctor of Medicine (Paediatrics)—M.D. (Paed.), Madurai."

(iv) in the entries relating to the Kashmir University, after the entry "Bachelor of Medicine and Bachelor of Surgery—M.B.B.S., Kashmir," the following entries shall be inserted, namely:—

"Doctor of Medicine (General Medicine).—M.D. (Genl. Med.), Kashmir

Doctor of Medicine (Physiology)—M.D. (Phy.), Kashmir

Doctor of Medicine (Obstetrics and Gynaecology)—M.D. (Obst. & Gynae.), Kashmir."

[V. 11015/13/74-MPT]

T. K. DAS, Under Secy

इस्पात और ज्ञान मंत्रालय

(ज्ञान विभाग)

नई दिल्ली, 25 जून, 1974

का० १७३९.—यह: केन्द्रीय सरकार को यह महसूस होता है कि इससे संलग्न अनुसूची में उल्लिखित भूमि में कोयला प्राप्त हानि की संभावना है;

अतः, यह, कोयलाधारी थोक (अर्जन तथा विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उप-धारा (1) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त भूमि में कोयले के लिये पुर्वोक्त करने संबंधी अपने निष्पत्य की सूचना देती है।

इस अधिसूचना के अन्तर्गत आने वाले थोक के नक्शे का राष्ट्रीय कोयला विकास निगम लिमिटेड (राजस्व अनुभाग), दरभंगा हाऊस, राष्ट्रीय (विहार) के कार्यालय में अधिवा कलक्टर, बर्द्धवान (पश्चिम बंगाल) के कार्यालय में अधिवा कोयला नियन्त्रक, १-कोन्सिल हाऊस-स्ट्रीट, कलकत्ता के कार्यालय में निरीक्षण किया जा सकता है।

इस अधिसूचना में संलग्न अनुसूची में उल्लिखित भूमि में यहि रखने वाला कोई भी व्यक्ति इस अधिसूचना के भारत के राजपत्र में प्रकाशित होने की तारीख में 90 दिन के अन्दर कोयलाधारी थोक (अर्जन तथा विकास) नियमावली, 1957 के नियम-5 की अधेक्षातुमार राष्ट्रीय कोयला विकास निगम लिमिटेड, दरभंगा हाऊस, रांची (विहार) के राजस्व अधिकारी को कथित अधिनियम की धारा-13 की उपधारा (7) में उल्लिखित सभी नक्शों, मानविक तथा अन्य दस्तावेज प्रस्तुत करेगा।

अनुसूची

राजीर्ज कोयला/थोक खंड-XI

द्वाइं सं० राजस्व/5/74

दिनांक 7-2-1975

(पुर्वोक्त के लिये अधिसूचित भूमि)

क्रम सं०	गाव	वाना संख्या	पुलिम स्टेशन (थाना)	जिला	थोक	टिप्पणी
1	2	3	4	5	6	7
1.	उज्जरा	18	ओणडान	बर्द्धवान	प्रांशिक	
2.	बालीजुरी	16	फरीदपुर	बर्द्धवान	प्रांशिक	
3.	सिरमा	17	फरीदपुर	बर्द्धवान	प्रांशिक	
4.	नवधनपुर	19	"	"	प्रांशिक	
5.	तिलबानी	20	"	"	पूर्ण	
6.	लौडोहा	21	"	"	पूर्ण	
7.	चक लौडोहा	22	"	"	पूर्ण	
8.	जमगरा	23	"	"	प्रांशिक	
9.	माशाइर्ज	24	"	"	प्रांशिक	
10.	बन्सिया	31	"	"	प्रांशिक	

1	2	3	4	5	6	7
11.	स्यामपुर	.	32	"	"	प्रांशिक
12.	झांसिरा	.	33	"	"	प्रांशिक
13.	मडुपुर	.	34	"	"	प्रांशिक
14.	सारपी	.	35	"	"	प्रांशिक
15.	कन्तुआ	.	36	"	"	प्रांशिक
16.	इच्छापुर	.	50	"	"	आरा शाक
17.	प्रब्लोका	.	51	"	"	प्रांशिक
18.	बंगारी	.	52	"	"	प्रांशिक

कुल भूमि 5525.42 एकड़ (लगभग)

अपवा० 2237.80 एकड़ (लगभग)

सीमा थोक

ए-बी-भी-डी

लाइनों ग्राम उखारातया अम्लोका से होकर गुजरती है और 'डी' बिन्दु पर मिलती है।

शी-ई

लाइन ग्राम बंगारी तथा इच्छापुर से होकर गुजरती है और 'ई' बिन्दु पर मिलती है।

ई-एफ

लाइन ग्राम केन्द्र तथा चंपावाड़ी, सारपी तथा चपावाड़ी की सम्मिलित सीमा से होकर गुजरती है और बिन्दु 'एफ' पर मिलती है।

एफ-जी-एच

लाइन ग्राम सारपी तथा बांसगारा की सम्मिलित सीमा से तथा ग्राम भड़पुर से होकर गजरती है और बिन्दु 'एच' पर मिलती है।

एच-प्राईजे-के-एल-एम

लाइनों ग्राम झाजरा तथा भड़पुर की ओरात: सम्मिलित सीमा के साथ तथा ग्राम भड़पुर, झाजरा, स्यामपुर, बन्सिया तथा जमगरा से होकर गुजरती है और बिन्दु 'एम' पर मिलती है।

एम-एन

लाइन ग्राम जमगरा तथा भधाईंगंज से होकर गुजरती है और बिन्दु 'एन' पर मिलती है।

एन-ओ

लाइन ग्राम बालीजुरी, सिरसा तथा नवधनपुर से होकर गुजरती है तथा बिन्दु 'ओ' पर मिलती है।

ओ-पी

लाइन ग्राम नवधनपुर तथा कोनारडीही की ओरात सम्मिलित सीमा के साथ-साथ गुजरती है: और बिन्दु 'पी' पर मिलती है।

पी-स्यू, आर-एस-टी य-वी

लाइनों ग्राम नवधनपुर, झाजरा तथा सारपी से होकर गुजरती हैं और बिन्दु 'वी' पर मिलती हैं।

थी-इस्लू-एस-सी

लाइन ग्राम सरपी, केन्तुआ, सरपी, इच्छापुर तथा अम्लोका से होकर गुजरती हैं और बिन्दु 'एस्स' पर मिलती है।

एस-वाई-ए

लाइनों ग्राम अम्लोका तथा उखरा से होकर गुजरती है और बिन्दु 'ए' पर मिलती है।

[फाइल संख्या को० 5-4(14)/74]

MINISTRY OF STEEL AND MINES

Department of Mines

New Delhi the 25th June 1974

S.O. 1739.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by this notification may be inspected in the office of the National Coal Development Corporation Limited (Revenue Section), Darbhanga House, Ranchi (Bihar), or in the office of the Collector, Burdwan (West Bengal) or in the office of the Coal Controller, 1-Council House Street, Calcutta.

Any person interested in the lands mentioned in the Scheduled to the notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer of the National Coal Development Corporation Limited, Darbhanga House, Ranchi (Bihar) within ninety days from the date of the publication of this notification in the Gazette of India, as required by rule 5 of the Coal Bearing Areas (Acquisition and Development) Rules, 1957.

SCHEDULE

Raniganj Coalfield

Block-XI

Drg. No. Rev/5/74

Dated 7-2-1974

(Lands notified for prospecting)

S. No.	Village	Thana Number	Police station (Thana)	District Area	Remarks
1.	Ukhra	18	Ondal	Burdwan	Part
2.	Balijuri	16	Faridpur	Burdwan	Part
3.	Sirsha	17	Faridpur	Burdwan	Part
4.	Nabghanapur	19	"	"	Part
5.	Tilabani	20	"	"	Full
6.	Loudoha	21	"	"	Full
7.	Chaklaudoha	22	"	"	Full
8.	Jamgara	23	"	"	Part
9.	Madhaiganj	24	"	"	Part
10.	Bansia	31	"	"	Part
11.	Shyampur	32	"	"	Part
12.	Jhanjra	33	"	"	Part
13.	Bhadrapur	34	"	"	Part
14.	Sarpi	35	"	"	Part
15.	Kendua	36	"	"	Part
16.	Ichhapur	50	"	"	Part
17.	Amloka	51	"	"	Part
18.	Bangari	52	"	"	Part

Total area:—5525.42 acres (approximately)
or 2237.80 Hectares (approximately)

Boundary Description:

A-B-C-D- Lines pass through villages Ukhra and Amloka and meet at point 'D'.

D-E- line passes through villages Bangari and Ichhapur and meets at point 'E'.

E-F- line passes along the common boundary of villages Kendua and Chapabandi, Sarpi and Chapabandi and meets at point 'F'.

F-G-H- lines pass along the common boundary of villages Sarpi and Bansgara and through village Bhadrapur and meet at point 'H'.

H-I-J-K-L-M- lines pass along the part common boundary of villages Jhanjra and Bhadrapur and pass through villages Bhadrapur, Jhanjra, Shyampur, Bansia and Jamgara and meet at point 'M'.

M-N	line passes through village Jamgara and Madhaiganj and meets at point 'N'.
N-O	line passes through villages Balijuri, Sirsha and Nabghanapur and meets at point 'O'.
O-P	line passes along part common boundary of villages Nabghanapur and Konardihi and meets at point 'P'.
P-Q-R-S-T-U-V	lines pass through villages Nabghanapur, Shanra and Sarpi and meet at point 'V'.
V-W-X	lines pass through villages Sarpi, Kendua, Sarpi, Ichhapur and Amloka and meet at point 'X'.
X-Y-A	lines pass through villages Amloka and Ukhra and meet at point 'A'.

[F. No. 5-4(14)/74-C-5]

नई दिल्ली, 25 जून, 1974

का० आ०-1740-या०: केन्द्रीय सरकार को यह महसूस होता है कि इससे संलग्न अनुसूची में उल्लिखित भूमि में कोयला उपलब्ध होने की संभावना है;

अतः ग्राम कोयलाधारी धोन (अर्जन तथा विकास) अधिनियम, 1957 (1957 का 20) धी धारा 4 को उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उक्त भूमि में कोयले के नियंत्रण करने संबंधी अपने नियन्त्रण की सूचना देती है।

इस अधिसूचना के अन्तर्गत आने वाले धोन के नक्शे का गण्डीय कोयला विकास नियम निमिटेड (राजस्व अनुबंध) वर्तमान हाऊस, राजी के कार्यालय में अथवा उपायुक्त हजारीबाग (बिहार), उपायुक्त, गिरिधीह (बिहार), उपायुक्त, धनबाद के कार्यालय में अथवा कोयला नियंत्रक 1, काउंसिल हाऊस स्ट्रीट, कलकत्ता के कार्यालय में नियंत्रण किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में इच्छा रखने वाले सभी व्यक्ति इस अधिसूचना के प्रकाशन की तारीख से 90 दिन के अन्दर राष्ट्रीय कोयला विकास नियम निमिटेड, वर्तमान हाऊस, राजी के राजस्व अधिकारी के कथित अधिनियम की धारा 13 की उप-धारा (7) में उल्लिखित सभी नक्शे, मानकिष्ट तथा अन्य वस्तावेज प्रस्तुत करेंगे।

अनुसूची

दामोदर नुगार और सो तथा काजू की जौ जाडी

खण्ड I

पूर्वी बोकारो

कोयला धोन

(पूर्वेभाग के लिये अधिसूचित भूमि को वर्णने वाली अनुसूची)

ब्राह्मा नंदगार राजस्व/10/74

दिनांक 10-4-74

क्रम सं०	प्राप्त	धारा	धारा	जिला	धेन	टिप्पणी
		सं०	सं०			
1.	वर्मो	नवधीह (वर्मो)	18	गिरिधीह		आंशिक
2.	जरीधीह	"	19	"		"
3.	बेथकारो	"	20	"		"

क्रम सं०	प्राम	थाना सं०	थाना सं०	जिला	ओत्र	ठिप्पणी
4	फुसरो	नवदीह (बर्म)	67गिरिडीह			आशिक
5	घोरी	"	68	"	"	
6.	माकोली	"	69	"	"	
7.	तुरिप्पो	"	70	"	"	
8.	टार्मी	"	71	"	1270.00	"
9.	राजावेरा	"	86	"	"	
10.	रंगामाटी	"	87	"	"	
11.	बुरसेरा	"	109	"	"	
12.	खेनको	पेटरबार	15 हजारी- बाग		"	
13.	चल्कारी	"	46	"	"	
14.	भूसको	"	48	"	"	
15.	पिछेरी	"	49	"	"	
16.	खेरहो	"	50	"	"	
17.	अंगवाली	"	51	"	"	
18.	नवदीह	"	52	"	"	
19.	मुलांखेटको	"	54	"	"	
20.	चाडो	"	55	"	"	
21.	खुदं चान्दो	"	59	"	"	
22.	खूटा	"	60	"	"	
23.	सोनपुरा	"	62	"	"	
24.	बातू	"	64	"	"	
35.	हमलना	"	69	"	971.98	"
26.	बेन्डोलमर	"	70	"	"	
27.	सर्फुडीह	"	71	"	"	
28.	चाषकिया	"	73	"	"	
29.	पोनरा	"	74	"	"	
30.	कमलापुर	"	76	"	"	
31.	पिपराडीह	"	77	"	"	
32.	बहापुरपुर	"	78	"	"	
33.	बाट	"	79	"	"	
34.	कस्याणपुर	"	81	"	"	
35.	मागो	"	166	"	"	
36.	शिबुतानर	"	168	"	"	
37.	कुडोरी	"	169	"	"	
38.	लंवी	"	171	"	"	
39.	केन्दुआडीह	जरीडीह	9	"	"	
40.	जेना	"	10	"	"	
41.	बाधडीह	"	11	"	"	
42.	पांचरा	चाम	1	धनबाद		
43.	बेदमारा	"	2	"	155.00	"
कुल ओत्र :- 2396.98 एकड़ (लगभग)						
अधवा 970.01 हेटेयर (")						

सीमा का व्योग.

एन्सी . लाइन प्राम जरीडीह तथा खेनको में दामोदर नदी से होकर जाती है (प्रथम् राष्ट्रीय कोयला विकास निगम के स्वीकृत तथा निष्पादित सेंड लीज क्षेत्र की सम्मिलन सीमा के साथ-साथ जाती है।

1	2
श्री-सी .	लाइन जिला हजारीबाग में थाना पेटरबार के प्राम खेतको, चाल्कारी, भूसको तथा अंगवाली में दामोदर नदी के दाएँ किनारे के साथ-साथ जाती है।
सी-डी .	लाइन जिला हजारीबाग में थाना पेटरबार के प्राम अंगवाली, नवदीह, भूलनखेटको, चाडो, खुदं चान्दो, खूटा, पिपराडीह, सोनपुरा, दल्लू तथा हमलना में खांजू नदी के दाएँ किनारे के साथ-साथ होकर जाती है।
श्री-ई .	लाइन जिला हजारी बाग में थाना पेटरबार के प्राम हमलता तथा बेन्डोटनर में खांजू नदी से होकर जाती है।
ई-एफ .	लाइन जिला हजारीबाग में थाना जरीडीह के प्राम बेन्डोटार, एंजूडीह, धाधकिया पोनरा, कमलापुर, बहापुरपुर, बाट, कल्याणपुर, अंगवाली, खेरहो तथा पिछरी थाना पेटरबार तथा बन्दहडीह, जेना तथा केन्दुआडीह में खांजू नदी के दाएँ किनारे के साथ-साथ जाती है।
एफ-जी .	लाइन जिला हजारीबाग में पेटरबार के प्राम पिछरी, मागो, शिबुतानर में तथा जिला धनबाद में थाना चाम के प्राम धंचरा तथा बदमारा में दामोदर नदी के दाएँ किनारे के साथ-साथ जाती है।
जी-एच .	लाइन जिला धनबाद में थाना चाम के प्राम दैमारा तथा जिला गिरिडीह में थाना नवदीह (बर्म) के प्राम बुरसेरा, रंगामाटी, राजावेरा, टार्मी तूरिप्पो, मकोली तथा धारी के कुछ भाग में दामोदर नदी के दाएँ किनारे के साथ-साथ होकर जाती है।
एच-आर०	लाइन जिला गिरिडीह में थाना नवदीह (बर्मों) के प्राम बुरसेरा, रंगामाटी, राजावेरा, टार्मी तूरिप्पो, मकोली तथा धारी के कुछ भाग में दामोदर नदी के दाएँ किनारे के साथ-साथ होकर जाती है।
आई-जे-के-एम .	लाइन जिला गिरिडीह में थाना नवदीह (बर्मों) में प्राम घोरी में दामोदर नदी से होकर जाती है (प्रथम् कोयलाधारी क्षेत्र (अर्जेन तथा विकास) अधिनियम, 1957 के अन्तर्गत अर्जित राष्ट्रीय कोयला विकास निगम के क्षेत्र में से होकर लाइने जाती है)।
एल-एम .	लाइन जिला गिरिडीह में थाना नवदीह (बर्मों) में प्राम फुसरो में दामोदर नदी के दाएँ किनारे के साथ-साथ जाती है।
एम-एन-ओ-पी .	लाइन जिला गिरिडीह में थाना नवदीह (बर्मों) के प्राम फुसरो, कारणली तथा शेकारो में दामोदर नदी से होकर जाती है (प्रथम् कोयलाधारी क्षेत्र (अर्जेन तथा विकास) अधिनियम, 1957 के अन्तर्गत अर्जित राष्ट्रीय कोयला विकास निगम के क्षेत्र में से होकर जाती है)।
पी-एन .	लाइन प्राम बेदमारा तथा जरीडीह में दामोदर नदी के दाएँ किनारे के साथ-साथ जाती है।

एक-‘सी’

लाइन जिवा गिरिशीह में थाना गमिया के ग्राम
मवांग में कुनार नदी के द्वारा किंतारे के माध्य-
साथ जाती है।

जी-‘एस’

लालून ग्राम स्वाम में कुनार नदी में जाती है
(जो स्वाम कीला खान के मैन्ड शीज थोक
की अणत मस्मियत सीमा के साथ-गाथ
है)।

ଦୁଷ-‘ମାତ୍ର’

लाइन कुनार नदी की केन्द्रीय नाल्हन में शर्थांति
जिला गिरिहिंड के ग्राम गवाग वथा अर्मो
सवांग नथा गोविन्दपुर की ग्रांशन भग्मिलिन
गीमा में छोकर जाती है (जो भवाग सेत्त
लीज क्षेत्र की ग्रांशन भग्मिलिन गीमा भी
है) ।

ମାଟି-ଚି

नाइन ग्राम गोदिन्दिपुर में कुनार नदी से होकर जाती है (ग्रथिति थोकारी खण्ड-II) के लिए कोयलाधारी थेव (आर्जन लथा विकास) प्रधिरूपम, 1457 के अन्तर्गत प्रजित थेव श्री अण्टन मम्मिलिन दीमा के भाथ-भाय जाती है) ।

ॐ-

प्राण त्रिला गिरिझीह में थाना नशाईह (थर्मो)
के ग्राम गोविन्दपुर तथा थर्मो में कुतार नदी
के बाएँ किनारे के कुछ भाग में होकर जानी
है।

फाईल सं० 4(2)/74-कोयला-5

१० एम० देशपाणे, अवर-मचिव

New Delhi, the 25th June, 1974

S.O. 1740.—WHEREAS it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan of the area covered by his notification can be inspected at the office of the National Coal Development Corporation Limited (Revenue Section), Dabhangha House, Ranchi or at the office of the Dy. Commissioner, Hazaribagh (Bihar), the Deputy Commissioner, Giridih (Bihar), the Deputy Commissioner, Dhanbad or at the office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Revenue Officer, National Coal Development Corporation Limited, Darbhanga House, Ranchi within 90 days from the date of publication of this notification.

SCHEDULE

River Bed of Damodar, Kunar Bokaro and Khanje
(East Bokaro Coalfield)
BLOCK-J DRG NO. RFV/10/74
Dated 10-4-74.

(Showing lands notified for prospecting)

S. No.	Village	Thana	Thana number	District	Area	Remarks
1.	Bermo	Nawadiah (Bermo)	18	Giridih		Part
2.	Jaridih	"	19	"		"
3.	Baidkaro	"	20	"		"
4.	Phusro	"	67	"	1270.00	"
5.	Dhori	"	68	"		"
6.	Makoli	"	69	"		"
7.	Iurio	"	70	"		"
8.	Tarmi	"	71	"		"
9.	Rajabbara	"	86	"		"
10.	Rangamati	"	87	"		"
11.	Bursera	"	109	"		"
12.	Khotko	Petarbar	45	Hazaribagh		"
13.	Chalkari	"	46	"		"
14.	Jhujke	"	48	"		"
15.	Piohhii	"	49	"		"
16.	Kherho	"	50	"		"
17.	Angwali	"	51	"		"
18.	Nawadiah	"	52	"		"
19.	Bhulan Khotko	"	54	"		"
20.	Chando	"	55	"		"
21.	Khurd Chando	"	59	"		"
22.	Khuta	"	60	"		"
23.	Sonpura	"	62	"		"
24.	Dantu	"	64	"		"
25.	Haslata	"	69	"		"
26.	Bendotanr	"	70	"		
27.	Surjudih	"	71	"	971.98	"
28.	Dhadhikia	"	73	"		"
29.	Ponra	"	74	"		"
30.	Kamlapur	"	76	"		"
31.	Pipradih	"	77	"		"
32.	Bhadurpur	"	78	"		"
33.	Bara	"	79	"		"
34.	Kalyanpur	"	81	"		"
35.	Mango	"	166	"		"
36.	Shibutanr	"	168	"		"
37.	Kundori	"	169	"		"
38.	Tantri	"	171	"		"
39.	Kenduadih	Jaridih	9	"		"
40.	Jona	"	10	"		"
41.	Bandhdih	"	11			
42.	Panohra	Chac	1	Dhanbad	155.00	"
43.	Baidmara	"	2	"		"

Total area:—2396.98 acres (approximately) or 970.01 Hectare (approximately).

BOUNDARY DESCRIPTION:-

A-B Line passes through Damodar River in villages Jaridih and Khetko (i) along the common boundary of M.G.D.C.'s and Lease area granted and executed.)

B-C	line passes along the Right bank of Damodar River in villages Khetko, Chalkari, Jhujhko and Angwali of thana Petarbar, Dist. Hazaribagh.		villages Jaridih and Bermo, Bermo and Jai Gobindpur and Jarangdih, and part common boundary of villages Gobindpur & Botea, through River Damodar in village Borea (i.e. the part common boundary of the area acquired under Coal Bearing Areas (Acquisition & Development) Act, 1957 for Bokaro Block-II.
C-D	line passes along the left Bank of River Khanjo in villages Nawadih, Bhulankhotko, Chando, Khurd chando Khuta, Pipradih, Dantu and Haslata of Thana Petarbar, Distt. Hazaribagh.	U-V	line passes along the part Right Bank of River Kunar in villages Borea and Jarangdih, thana Gumia Distt. Giridih.
D-F	line passes through River Khanjo in village Haslata and Bendotanr, thana Petarbar, Distt. Hazaribagh.	V-Q	line passes through River Kunar in village Jarangdih thana Fumia and Jaridih of thana Nawadih (Bermo) Distt. Giridih.
E-F	line passes along the Right Bank of River Khanjo in villages Bend Surjudih, Dhadhikia, Ponra, Kamlapur, Dahadurpur Baru, Kalyanpur, Angwali, Kherio and Pichhui, thana Petarbar and Bandhdihi, Jona & Kenduadih, thana Jaridih, Distt. Hazaribagh.		
F-G	line passes along the Right bank of River Damodar in villages Pichhri, Mango Shubtan, Kunderi of thana Petarbar, Distt. Hazaribagh & villages Panchra and Baidmara of thana Chas, Distt. Dhanbad.		
G-H	line passes through River Damodar in village Baidmara of thana Chas, Distt. Dhanbad & village Bursora of thana Namadih (Bermo), Distt. Giridih.		
H-I	line passes along the left bank of River Damodar in villages Burs, Rangamati, Rajabora, Tarmi, Turio, Makoli and part of Dhori, thana Nawadih (Bermo) of Distt. Giridih.	W-X	line passes along the part Right Bank of River Kunar in village Hazari, thana Gumia, Distt. Giridih.
I-J-K-L	lines pass through Damodar River (i.e. along the M.C.D.C.'s area acquired under Coal Bearing (Acquisition & Development) Act, 1957 in village Dhori, thana Nawadih (Bermo), Distt. Giridih.	X-Y	line passes through River Kunar in village Hazari (i.e. along the part common boundary of the areas acquired under Coal Bearing Areas (Acquisition & Development) Act, 1957.
L-M	line passes along the left Bank of Damodar River in village Phusio thana Nawadih (Bermo), Distt. Giridih.	Y-Z	line passes along the part Central line of River Kunar (i.e. part common boundary of villages Hazari and Gobindpur.
M-N-O-P	lines pass through Damodar River (i.e. along the N.C.D.C.'s area acquired under Coal Bearing (Acquisition & Development) Act, 1957 in villages Phusio, Kaigali and Baidkaro, thana Nawadih (Bermo), Distt. Giridih.	Z-W	line passes through River Kunar (i.e. along the part Eastern boundary of swang Colliery
P-A	line passes along the left Bank of River Damodar in villages Baidkar and Jaridih.		

BLOCK-JI

Sl. Village No.	Thana	Thana number	District	Area	Remarks
1. Borea	Gumia	115	Giridih	Part	
2. Jarangdih	..	116	
3. Jaridih	Nawadih (Bermo)	19	
Total area:--	103.00 acres (approximately) Or 41.72 Hectares (approximately)				

BOUNDARY DESCRIPTION:—

Q-R	line passes along the left Bank of River Kunar in village Jaridih, thana Nawadih (Bermo), Distt. Giridih.
R-S-T-U	lines pass through and along the Central line of River Kunar i.e. part common boundary of

Sl. Village No.	Thana	Thana number	District	Area	Remarks
1. Hazari	Gumia	112	Giridih	Part	
Total area:—11.25 acres (approximately) Or 4.56 Hectares ..					

BOUNDARY DESCRIPTION:—

W-X	line passes along the part Right Bank of River Kunar in village Hazari, thana Gumia, Distt. Giridih.
X-Y	line passes through River Kunar in village Hazari (i.e. along the part common boundary of the areas acquired under Coal Bearing Areas (Acquisition & Development) Act, 1957.
Y-Z	line passes along the part Central line of River Kunar (i.e. part common boundary of villages Hazari and Gobindpur.
Z-W	line passes through River Kunar (i.e. along the part Eastern boundary of swang Colliery

BLOCK-IV

Sl. Village No.	Thana	Thana number	District	Area	Remarks
1. Khudgara	Gumla	111	Giridih	part	
Total area:—14.67 acres (approximately) Or 5.67 Hectares ..					

BOUNDARY DESCRIPTION :—

A'-B'	line passes along with part left Bank of River Bokaro in village Khudgara, Thana Gumla, Distt. Giridih.
B'-B'	line passes through River Bokaro in village Khudgara.
C'-D'-A'	lines pass along part Central line and through river Bokaro (i.e. along the common boundary of village Khudgara & Palani, Khudgara Hazari which is also the part common boundary of the areas acquired under Coal Bearing Areas (Acquisition & Development Act, 1957).

BLOCK-V

Sl. No.	Village	Thana No.	District	Area	Remarks
1. Sawang	Gumia	107	Giridih	Part	
2. Gobindpur	Nawadih (Bermo)	15	„	„	
3. Armo	„	11	„	Part	
Total area:—60.75 acres (Approximately) Or 24.60 Hectares				„	

BOUNDARY DESCRIPTION

E'-F'	line passes through River Kunar in village Armo (thana Nawadih) along the part common boundary of villages Sasbera & Sawang (River Kunar) thana Gumia Distt. Giridih.
F'-G'	line passes along the Right Bank of River Kunar in village Sawang thana Gumia, Distt. Giridih.
G'-H'	line passes through River Kunar in village Sawang, (which is along part common boundary of Sand Lease area of Sawang Colliery).
H'-I'	line passes along the part central line of River Kunar i.e. along the part common boundary of villages Sawang & Armo, Sawang and Gobindpur (which is also the part common boundary of Sand Lease area of Sawang colliery) of Distt. Giridih.
I'-J'	line passes through River Kunar in village Gobindpur (i.e. along the part common boundary of the area acquired under Coal Bearing Areas (Acquisition & Development) Act, 1957 for Bokaro Block-II).
J'-E'	line passes along the part left Bank of River Kunar in village Gobindpur and Armo, thana Nawadih (Bermo) Distt. Giridih.

[F.No. C5-4(2)/74]

A. S. DESHPANDE, Under Secy.

कृषि मन्त्रालय

[कृषि विभाग]

नई दिल्ली, 29 जून, 1974

का० आ० 1741.—कृषि उपज (थोणीकरण और चिह्नन) अधिनियम, 1937 (1937 का 1) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार घोषित करती है कि उक्त अधिनियम के उपनियम निम्नलिखित वस्तु का लागू होंगे, अर्थात्—

ईमबगोल की भूमि

[संख्या 13-4/73-ए० एम०]

रघुबीर नारायण, अधिकारी सचिव।

MINISTRY OF AGRICULTURE

(Department of Agriculture)

New Delhi, the 29th June, 1974

S.O. 1741.—In exercise of the powers conferred by section 6 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby declares that the provisions of the said Act shall apply to the following article, namely :—

Isubgol husk.

[No. F. 13-4/73-AM]

RAGHUBIR NARAIN, Under Secy.

(व्यापार विभाग)

आवेदन

नई दिल्ली, 27 जून, 1974

का० आ० 1742.—फल उत्पाद आदेश, 1955 के अड 3 के उपस्थित (1) के अनुसरण में केन्द्रीय सरकार एवं देशवारा भारत सरकार, कृषि मन्त्रालय, व्यापार विभाग के संख्या 9/4/73-ए० एन० बी० I तारीख 21 जूनार्थ, 1973 के आदेश में निम्नलिखित मणिधन करनी है, अधिनियम—

उक्त आदेश में मद 1 और उसमें मन्दिरित प्रविष्टि के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात् :

“ 1. श्री प्रार० क० शास्त्री

संयुक्त मन्त्रित,

कृषि विभाग,

कृषि मन्त्रालय” ।

[संख्या 9(4)/74-ए० एन० बी०-१]

आर० एम० मरीन, अधिकारी सचिव

(Department of Food)

ORDER

New Delhi, the 27th June, 1974

S.O. 1742.—In pursuance of sub-clause (1) of clause of the Fruit Products Order, 1955, the Central Government hereby makes the following amendment in the Order of the Government of India, in the Ministry of Agriculture, Department of Food, No. 9/4/73-FNB. I, dated the 21st July, 1973, namely :—

In the said Order, for item 1 and the entry relating thereto, the following shall be substituted, namely :—

“ 1. Shri R. K. Shastri,
Joint Secretary,
Department of Food,
Ministry of Agriculture.”

[No. 9(4)/74-FNB. IV]

R. S. SARIN, Under Secy.

शिक्षा श्रीरंग समाज कल्याण मन्त्रालय

(शिक्षा विभाग)

नई दिल्ली, 14 जून, 1974

पूर्ण विन्यास अविनियम, 1890 के मामले में

और

राष्ट्रीय अध्यापक कल्याण प्रतिष्ठान, नई दिल्ली के मामले में

का० आ० सा० 1743.—अवकाश सरकार के भूतपूर्व शिक्षा मन्त्रालय की अधिसूचना का० आ० संख्या 955 तारीख 25 जून, 1962 की अनुसूची अ में श्री गई योजना के अन्तर्गत राष्ट्रीय अध्यापक कल्याण प्रतिष्ठान की नियितों के प्रबन्ध और प्रशासन के प्रयोजनों के लिए एक महा समिति गठित की गई थी,

और जबकि उक्त महा-समिति ने उक्त योजना के समाधान के लिए जैमा कि इसके पश्चात् अन्वयिष्ट है, आवेदन पत्र दिया है ;

अतः अब, केन्द्रीय सरकार, पूर्ण विन्यास अविनियम, 1890 की धारा 5 की उपधाराओं (2) और (3) द्वारा प्रदत्त शक्तियों का प्रयोग करने हों, आवेदन पत्र और उक्त महा समिति की महसूति से उक्त स्वाम को मणिधन करनी है, इसमें इसके पश्चात् यथावन्नर्विष्ट और यह भी आदेश देनी है कि मणिधन स्कीम, राजपत्र में इस अधिसूचना के प्रकाशन की तारीख को प्रवृत्त होगी ।

भूतपूर्व शिक्षा मन्त्रालय के का० आ० मक्का १५५, तारीख २५ जून,
१९६२ की अधिसूचना की अनुसूची यह म—

(i) पैरा ३ म, खण्ड (क) मे० “उपाधिका (पदेन)” शब्द और
कोष्ठका का लाग किया जाएगा।

(ii) पैरा ५ म “चार” शब्द के स्थान पर ‘मात’ शब्द रखा
जाएगा।

[एफ० १२८/७४ एन० एम० १]

MINISTRY OF EDUCATION AND SOCIAL WELFARE
(Education Department)

New Delhi, the 14th June, 1974

In the matter of Charitable Endowments Act, 1890,

AND

In the matter of National Foundation for Teachers' Welfare, New Delhi.

S.O. 1743.—Whereas a General Committee was constituted for purposes of management and administration of the funds of the National Foundation for Teachers' Welfare under a scheme set out in Schedule B to the notification of the Government of India in the late Ministry of Education, No. S.O. 955, dated the 25th June, 1962;

And whereas the said General Committee have made an application for the modification of the said scheme as hereinafter contained;

Now, therefore, in exercise of the powers conferred by sub-section (2) and (3) of section 5 of the Charitable Endowments Act, 1890 (6 of 1890), the Central Government, on application and with the concurrence of the said General Committee, hereby modifies the said scheme as hereinafter contained and further orders that the modified scheme shall come into force on the date of publication of this notification in the Official Gazette.

In Schedule B to the notification of the Government of India in the late Ministry of Education, No. S.O. 955, dated the 25th June, 1962,—

(i) In paragraph 3, in clause (a), the words and brackets “—Vice-Chairman (ex-officio)” shall be omitted;

(ii) In paragraph 4, for the word “four”, the word “seven” shall be substituted.

पूर्व विन्यास अधिनियम, १८९० के सामने मे०
ओर

राष्ट्रीय प्रधायापक कल्याण प्रतिष्ठान, नई विल्सो के सामने म

का० आ० १७४४.—महा मसिमि, भारत सरकार के भूतपूर्व शिक्षा मन्त्रालय
की अधिसूचना का० आ० मक्का १५५, तारीख २५ जून, १९६२ की अनु-
सूची (ज) मे० दी गई स्कीम के पैरा ४ की खण्ड (क) द्वारा प्रदत्त
अधिकारों का प्रयोग करने हुए, भारत सरकार के भूतपूर्व शिक्षा मन्त्रालय
की अधिसूचना म० एफ० १७-९०/६१-ए-३, तारीख २५ जून, १९६२ मे०
प्रकाशित किए गए, “राष्ट्रीय प्रधायापक कल्याण प्रतिष्ठान के प्रशासन
संबंधी नियम” मे० और संशोधन करने के लिए निम्नलिखित नियम बनाती
है, अर्थात् —

उबल नियम मे० नियम २ के स्थान पर निम्नलिखित नियम रखा
जाएगा, अर्थात् —

२ “मशिल नाम

इन नियमों का नाम राष्ट्रीय प्रधायापक कल्याण प्रतिष्ठान प्रशासन,
नियम १९६२ है।

[एफ० १२८/७४-एन० एम० ४]

एग० एम० एम० नारी, सचिव-कापाधिका,
राष्ट्रीय प्रधायापक कल्याण प्रतिष्ठान

In the matter of Charitable Endowments Act, 1890.

AND

In the matter of National Foundation for Teachers' Welfare, New Delhi.

S.O. 1744.—In exercise of the powers conferred by clause (a) of paragraph 8 of the Scheme set out in Schedule B to the notification of the Government of India in the late Ministry of Education, No S.O. 955, dated the 25th June, 1962, the General Committee hereby makes the following rules further to amend the “Rules for the Administration of the National Foundation for Teachers' Welfare”, published with the notification of the Government of India in the late Ministry of education, No I. 17-90/61-A. 3, dated the 25th June, 1962, namely:—

In the said rules, for rule 2, the following rule shall be substituted, namely :—

“2. Short title

These rules may be called the Administration of the National Foundation for Teachers Welfare Rules, 1962”.

[No F 12-8/74-NS 4]

S. M. S. CHARI, Secy. Treasurer,
National Foundation for Teacher's Welfare

नई दिल्ली, 1 जुलाई, 1974
(पुरातत्त्व)

का० ० १७४५.—ग्रन्त केन्द्रीय सरकार ने भारत के ग्रामपंच, भाग २ खण्ड ३, उपखण्ड (ii) नारीख १४ जुलाई, 1973 का प्रकाशित भारत सरकार के विषय, समाज कल्याण और सामूहिक स्वतंत्रत्व के भारतीय पुरातत्त्व सर्वेक्षण की अधिसूचना संख्या का० ग्रा० १५३, तारीख १५-६-१९७३ द्वारा, निम्न अनुसूची में विविध पुरातत्त्व स्थल और अवशेष का ग्रान्टीय महत्व का घोषित करने के अपने आधार की सूचना दी है।

ओर यह, ये सभी घोषणा करने के बारे में कोई आवेदन प्राप्त नहीं हुए, है।

ग्रन्त, अब, केन्द्रीय सरकार, प्राचीन स्मारक तथा पुरातत्त्व स्थल और अवशेष अधिनियम, 1958 (1958 का २४) को भाग १ की उपाधाग (3) द्वारा प्रदत्त व्यक्तियों का प्रयोग करने हुए, उनके पुरातत्त्व स्थल और अवशेष को राष्ट्रीय महत्व का घोषित करती है।

अनुसूची

राज्य	जिला	तहसील या उपखण्ड	अवधिकारी	स्थल का नाम
(1)	(2)	(3)	(4)	(5)
पश्चिमी बंगाल	बुर्द्वान	दुर्गापुर	भरतपुर	सर्वेक्षण प्लाट सं० ५७१, ५७१/९६५, २२१५ और २२१६ में समाविष्ट प्रचीन स्तूप।
संरक्षण के अन्तर्गत गम्भीर वृत्ति वाली स्थल	क्षेत्र		सीमांग	स्वामिन्द्र टिप्पणिया
राजन्य प्लाट संख्याएँ				
(6)	(7)	(8)	(9)	(10)
सर्वेक्षण प्लाट सं० ५७१, ५७१/९६५, २२१५ और २२१६	६. १९ एकड़	उत्तर सर्वेक्षण प्लाट पूर्व सर्वेक्षण प्लाट सं० २०३३, २०३४, २०१०, २०४१ और २०४५ दक्षिण सर्वेक्षण प्लाट सं० २२११, २२१२, २२१३ और २२१४ पश्चिम सर्वेक्षण प्लाट सं० २२१७		[सं० २/१/डब्ल्यूबी/१/७१-एम] पृष्ठ ५८० दृष्टि पाण्डि, संग्रहालय पद्मन-स्थृत सचिव

New Delhi, the 1st July 1974

(Archaeology)

S.O. 1745.—Whereas by notification of the Government of India in the Ministry of Education Social Welfare and Culture, Archaeological Survey of India, No. S.O. 1953, dated 19-6-73 published in part II, Section 3 Sub Section (ii) of the Gazette of India, dated the 14th July, 1973, the Central Government gave notice of its intention to declare the archaeological site and remains specified in the Schedule below to be of national importance.

And, whereas, no objection have been received to the making of such declaration.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act 1958 (24 of 1958), the Central Government hereby declares the said archaeological site and remains to be of national importance)

THE SCHEDULE

State	District	Tehsil or Sub division	Locality	Name of site	Revenue plot numbers to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10
West Bengal	Burdwan	Durgapur	Bharatpur	Ancient mound comprised in Survey Plot Nos. 571, 571/695, Survey Plot Nos. 2215 and 2216 571, 571/965, 2215 and 2216	Survey Plot Nos. 6.49 acres	North : Survey Plot No. 572 East : Survey plot No.s 2033, 2034, 2040, 2041 and 2045 South : Survey Plot No.s 2211, 2212, 2213, and 2214 West : Survey Plot No. 2217	North : Survey Plot No. 572 East : Survey plot No.s 2033, 2034, 2040, 2041 and 2045 South : Survey Plot No.s 2211, 2212, 2213, and 2214 West : Survey Plot No. 2217	Private	

[No. 2/1/WB01/71-M]
M. N. DESHPANDE, Director General
Ex-officio Joint Secy.

सूचना तथा प्रसारण मंत्रालय

नई दिल्ली, 28 जून 1974

का० ० १७४६.—चार्चित अधिनियम, 195० की भाग ३ की उपभाग (1) द्वारा प्रदत्त व्यक्तियों का प्रयोग करने द्वारा, केन्द्रीय गवर्नर ने पारदर्शक व्याया निर्माणित व्यक्तियों को १ जुलाई, 1974 से ३० सितम्बर,

1974 तक, केन्द्रीय फिल्म समर बोर्ड का फिल्म में गवर्नर नियुक्त किया

गया।

- १ श्री वी० मार० चौधरी
- २ श्रीमती वी० दुर्गा
- ३ श्रीमती गुरेन्द्र गुल
- ४ श्री पी० सी० मैथू

- 5 श्रीमती एम० नगराजानी
- 6 श्री श्री० एन० मरकार
- 7 श्री ए० एल० श्रीनिवासन
- 8 श्री सी० गार० सुन्दरम्
- 9 श्री रविंद्र ग्राहम

[प्र० स० 11/6/72-एफ० स०]

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 28th June, 1974

S.O. 1746—In exercise of the powers conferred by sub-section (1) of section 3 of the Cinematograph Act, 1952, the Central Government hereby re-appoints the following persons as members of the Central Board of Film Censors with effect from 1st July, 1974 upto 30th September, 1974

- 1 Shri B R Chopra
- 2 Smt Veena Duggal
- 3 Smt Surinder Gupta
- 4 Shri P C Mathew
- 5 Smt M Nasrullah
- 6 Shri B N Sircar
- 7 Shri A L Srinivasan
- 8 Shri C R Sundaram
- 9 Shri David Abraham

[F No 11/6/72-FC]

का० आ० 1747—चलचित्र अधिनियम 1952 की धारा ५(१) और चलचित्र (सेसर) नियमावधी 1955 के नियम १ वे उप-नियम (२) के माध्यम परिवर्तन नियम ५ के उपनियम (३) द्वारा प्रदत्त अधिकारों का प्रयोग करने हाएं चलचित्र संस्कार ने चलचित्र फिल्म सेसर बाबू से परामर्श करके एन्ड्राया निम्नलिखित व्यक्तियों का १ जूलाई १९७४ से ३० मित्सवर १९७४ तक उक्त बोर्ड के बम्बई मलाहकार पैनल का फिर से मद्दत्य नियुक्त किया है—

- 1 श्री कमलेश्वर
- 2 श्री देव० जी० अधवार
- 3 श्री एम० एम० रेणे
- 4 प्र० (श्रीमती) विजया गजाश्रम
- 5 श्री डी० जी० नादकर्णी
- 6 प्र० मुरली ठाकुर
- 7 डा० (श्रीमती) चारशीला बी० गान
- 8 श्रीमती कमला निलक
- 9 श्रीमती पदमा क० दमाई
- 10 डा० (कुमारी) लक्ष्मेन एम० मोनजी
- 11 श्रीमती नविनी एम० मुख्यकर
- 12 श्रीमती मणिबन दमाई
- 13 श्रीमती टी० श्री० देवेजिया
- 14 श्रीमती लक्ष्मी बाबी
- 15 श्री एम० चौ० शाह
- 16 श्री गमागाम जाणी
- 17 श्री राम नारग
- 18 श्री एम० ई० हमनेन
- 19 श्रीमती कमला दुप्रा
- 20 श्री तमाक्षी शाह
- 21 श्री गजेनारायण मिश्र
- 22 श्रीमती आर० एस० बागा
- 23 श्री रमिक जे० शाह
- 24 श्रीमती मृणालिनी बौकमी
- 25 श्रीमती ललिता एन० बापट
- 26 श्रीमती एम० गुलरजानी

- 27 श्रीमती मालती गिलानी
- 28 श्रीमती आरा मंठ
- 29 श्रीमती मञ्ज घ्रवाल
- 30 श्री जाग अन्नारी
- 31 श्रीमती उमिना फ्लूर
- 32 श्री दी० पी० आनन्द

[प्र० स० 11/3/72-एफ० स०]

S.O. 1747—In exercise of the powers conferred by section 5 (1) of the Cinematograph Act, 1952 and sub rule (3) of rule 8 read with sub-rule (2) of rule 9 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby re-appoints the following persons after consultation with the Central Board of Film Censors, as members of the Advisory Panel of the said Board at Bombay with effect from 1st July, 1974 upto 30th September 1974—

- 1 Shri Kamaleshwar
- 2 Prof K G Aggarwal
- 3 Shri S S Rege
- 4 Prof (Smt) Vijaya Rajadhynksha
- 5 Shri D G Nadkarni
- 6 Prof Muhi Thakur
- 7 Dr (Smt) Charusheela B Gupta
- 8 Smt Kamala Tilak
- 9 Smt Padma K Desai
- 10 Dr (Miss) Labuben S Soneji
- 11 Smt Nalini S Sukthankar
- 12 Smt Maniben Desai
- 13 Smt T V Dehejia
- 14 Smt Lakshmi Wahi
- 15 Shri S D Shah
- 16 Shri Ganga Ram Joshi
- 17 Shri Rama Narang
- 18 Shri S E Hassnain
- 19 Smt Kamala Dua
- 20 Shri Talakshi Shah
- 21 Shri Rajnaram Singh
- 22 Smt R S Boga
- 23 Shri Rasik J Shah
- 24 Smt Mrinalini Choksi
- 25 Smt Lalita N Bapat
- 26 Smt S Gulajani
- 27 Smt Malati Gilani
- 28 Smt Asha Sheikh
- 29 Smt Manju Agarwal
- 30 Shri Zoe Ansari
- 31 Smt Urmila Kapoor
- 32 Shri D P Anand

[F. No 11/3/72-FC]

का० आ० 1748—चलचित्र अधिनियम, 1952 की धारा ५(१) और चलचित्र (सेसर) नियमावधी, 1955 के नियम १ के उप-नियम (२) के माध्यम परिवर्तन नियम ५ के उप-नियम (३) द्वारा प्रदत्त अधिकारों का प्रयोग करने हाएं चलचित्र संस्कार ने चलचित्र फिल्म सेसर बोर्ड से परामर्श बरने के बाबू, एन्ड्राया निम्नलिखित व्यक्तियों का १ जूलाई १९७४ से ३० मित्सवर १९७४ तक उक्त बोर्ड वे मद्रास मलाहकार पैनल का मद्दत्य फिर से नियुक्त किया है—

- 1 श्री टी० नीलकन्तन
- 2 श्रीमती मौनदा खेलाभाम
- 3 श्री मोहम्मद यसुक शाकिश
- 4 श्री एम० शेविक्कर
- 5 श्रीमती मी० एन० मीनाक्षी अम्मा
- 6 श्री पी० बी० खलपतेश्वर राव
- 7 श्रीमती मैरी खलवाला जादव
- 8 श्री पी० नें० रामलिंगम
- 9 श्री जी० वरदापा
- 10 श्रीमती आर० मुक्रण
- 11 श्रीमती पी० बी० भागीरथी

12. श्रीमती वर्षा लोको
13. श्रीमती इन्दिरा दी० कोठारी
14. श्रीमती मायती चन्द्रा
15. श्री सी० शार० शर्मा
16. श्रीमती गती गगाचारी
17. श्रीमती पद्मिनी अच्छा मेनन
18. श्रीमती पन० एम० मणि
19. शा० एम० विजयानक्षमी
20. श्रीमती नीला पार्थमानथी
21. कुमारी पी० शान्ताबाई
22. श्रीमती एम० शीलावती
23. श्रीमती रोहिणी कृष्णाचन्द्र
24. डा० (कुमारी) भी० एम० लीलावती
25. श्रीमती हेमनता अजनेश्वरी
26. श्रीमती साग संयद यूसूफ
27. श्रीमती जी० दुबे
28. श्रीमती पद्मा सदानन्द

S.O. 1748.—In exercise of the powers conferred by section 5(1) of the Cinematograph Act, 1952, and sub-rule (3) of rule 8 read with Sub-rule (2) of rule 9 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby re-appoints the following persons after consultation with the Central Board of Film Censors, as members of the Advisory Panel of the said Board at Madras with effect from 1st July, 1974 up to 30th September, 1974 :—

1. Shri T. Neelakanthan.
2. Smt. Soundra Kailasam.
3. Shri Mohd. Yousuf Kokan.
4. Shri M. Govindan.
5. Smt C. L. Meenakshi Amma.
6. Shri P. V. Chalapatheswara Rao.
7. Smt. Mary Clubwala Jadhav.
8. Shri P. K. Ramalingam.
9. Shri G. Varadappa.
10. Smt. R. Suvarna.
11. Smt. P. V. Bhagirathl.
12. Smt. Bertha Lobo.
13. Smt. Indira D. Kothari.
14. Smt. Malati Chendur.
15. Shri C. R. Sarma.
16. Smt. Raji Rangachari.
17. Smt. Padmini Achutha Menon.
18. Smt. N. S. Mani.
19. Dr. S. Vijayalakshmi.
20. Smt. Leela Parthasarathi.
21. Kumari P. Shanta Bai.
22. Smt. M. Leelavathi.
23. Smt. Rohini Krishnachandria.
24. Dr. (Miss) C.M. Leelavati.
25. Smt. Hemlata Anjaneyulu.
26. Smt. Sara Sved Yusuff.
27. Smt. G. Dubey.
28. Smt. Padma Sadanandam.

[F. No. 11/4/74-FC]

एस० एम० 1749.—चलचित्र अधिनियम, 1952 की धारा 5(1) और चलचित्र (सेमर) नियमावली, 1958 के नियम 9 के उप-नियम (2) के माध्यम से धारा 8 के उप-नियम (3) द्वारा प्रदत्त अधिकारों का प्रयोग

करने हए, केंद्रीय सरकार ने केंद्रीय फिल्म सेसर बोर्ड से परमार्थ करने के बाद एवं द्वारा नियमित अधिकारों को 1 जुलाई, 1974 से 30 गिरवर, 1971 तक उन बाईं के कानकाश सलाहकार पंतव का किंव सदस्य नियुक्त किया है :—

- 1 श्रीमती उमा शाबानबीम
- 2 श्री सेलन मुखर्जी
- 3 श्रीमती अबू महर्र अय्यूब
4. श्रीमती काजल मेनगान
5. श्रीमती शैब्या दत्त
6. श्रीमती आशा पूर्ण देबी
7. श्रीमती रीतारे
- 8 श्री सुजीत के० चक्रवर्ती
9. श्री शार० पी० गुल
- 10 श्री अनन्त महापात्रा
- 11 श्री सौमयेन्द्र नाथ टैगोर
- 12 श्रीमती उषा खान
13. श्री रानेन अयन दत्त
14. श्रीमती जयश्री मेन
15. श्रीमती मीनाशी बर्म

[फाइल नू० 11/5/72-एफ० नू०]
के०पी०क० नायर, प्रबर अधिक

S.O. 1749.—In exercise of the powers conferred by section 5(1) of the Cinematograph Act, 1952 and sub-rule (3) of rule 8 read with sub-rule (2) of rule 9 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby re-appoints the following persons after consultation with the Central Board of Film Censors, as members of the Advisory Panel of the said Board at Calcutta with effect from 1st July, 1974 upto 30th September, 1974 :—

1. Smt. Uma Sabanabis.
2. Shri Sailen Mookerji.
3. Smt. Abu Sayeed Ayyub
4. Smt. Kajal Sen Gupta
5. Smt. Shaibya Dutt
6. Smt. Asha Purna Debi
7. Smt. Rita Ray
8. Shri Sojit K. Chakrabarti
9. Shri R. P. Gupta
10. Shri Anant Mahapatra.
11. Shri Saumyendra Nath Tagore
12. Smt. Usha Khan
13. Shri Ranen Ayan Dutta
14. Smt. Jayasree Sen
15. Smt. Minakshi Basu

[F. No. 11/5/72-FC]

K. P. K. NAYAR, Under Secy.

MINISTRY OF LABOUR

New Delhi, the 3rd July, 1974

S.O. 1750.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal (No. 2), Dhanbad, in the industrial dispute between the employers in relation to the management of Balihari Colliery of Messrs Bharat Coking Coal Limited, Post Office Kusunda, District Dhanbad and their workmen which was received by the Central Government on the 26th June 1974.

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD
PRESENT:

Shri K. K. Sarkar, Judge, Presiding Officer.

Reference No. 10 of 1972

In the matter of an industrial dispute u/s 10(1) (d) of the Industrial Disputes Act, 1947.

PARTIES: Employers in relation to the management of Balihari Colliery of Messrs Bharat Coking Coal Limited, Post Office Kusunda, District Dhanbad

AND

Their workmen.

APPEARANCES:

On behalf of the employers : Shri S. Mukherjee, Advocate.

On behalf of the workmen: Shri J. D. Lal, Advocate.

State: Bihar. Industry: Coal.

Dhanbad, the 22nd June, 1974

AWARD

The Government of India, Ministry of Labour and Rehabilitation in the Department of Labour & Employment is of opinion that an industrial dispute exists between the employers in relation to the management of Balihari Colliery of Messrs Bharat Coking Coal Limited, Post Office Kusunda, District Dhanbad and their workmen. Accordingly they by order o. L/2012/30/72-LRII dated 4th September, 1972 referred the said dispute to this Tribunal u/s 10(1) (d) of the I.D. Act, 1947 for adjudication upon the issue as in the schedule below:

SCHEDULE

"Whether the action of the management of Balihari Colliery, post office Kusunda, District Dhanbad at present under the management of Messrs Bharat Coking Coal Limited, in stopping Sarvashri Ram Khelwan Bhuiyan, Sudesh Bhuiyan, Kanhaiya Bhuiyan, Triloki Bhuiyan and Teter Bhuiyan, Surface Trammers from work with effect from the 18th November, 1971, is justified? If not, to what relief are the workmen entitled?"

The parties duly entered their appearance and filed their written statements in due course. The parties then wanted time for filing documents and the reference dragged on for filing such documents. Then at one stage the parties wanted time to file memorandum of settlement. Such time was allowed and the reference dragged on for filing settlement. ultimately, on 21-6-74 the parties filed a joint petition of compromise incorporating therein the terms of settlement. I heard the learned Advocates representing both sides on the joint petition of compromise and it is submitted that the dispute has been finally resolved between the parties and an award be passed in accordance thereto. I have gone through the terms of settlement which appear to have been properly signed by Shri R. D. P. Sinha, Acting Sub Area Manager, Bhagaband Sub Area No. XIII and by Shri S. S. Mukherjee, Advocate representing the management on the one hand and by Shri J. D. Lal, Advocate and Secretary, Bihar Colliery Kamgarh Union representing the workmen. The terms of the settlement are beneficial to both sides. There is no reason why the same should not be accepted. Accordingly I accept the terms of settlement as incorporated in the joint petition of compromise.

In the result I make an award in this case in terms of the settlement as incorporated in the joint petition of compromise which do form part of the award as Annexure A.

Sd/-

[No. L-2012/30/72-LRII]

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ANNEXURE A
BEFORE THE PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
NO. 2 AT DHANBAD

In the matter of Ref. No. 10 of 1972

PARTIES: Employers in relation to Balihari Colliery.
AND

Their workmen.

PETITION OF COMPROMISE

The humble petition on behalf of the parties to the dispute most respectfully herewith :—

(1) That without prejudice to the respective contentions of the parties, the dispute has been amicably settled on the following terms:—

TERMS OF SETTLEMENT

(a) That the concerned workmen S/Shri Ramkhelwan Bhuiyan, Sudesh Bhuiyan, Kanhaiya Bhuiyan, Triloki Bhuiyan and Teter Bhuiyan will be given employment as Trammers or jobs of equivalent category in any colliery wheresoever of Area No. III within 15 days from the date of this Settlement, if the above workmen reports for duties within this period to the Sub Area Manager, Bhagaband Sub Area No. XIII.

(b) That the above workmen will have no claim for any back wages, Bonuses and allowance etc. for the period from 18-11-71 till the date of resumption of their duties in the colliery.

(c) That the continuity of the service of the above workmen will be maintained from the date of Nationalization i.e. 1-5-72. The period from 1-5-72 till the date of resumption of duties will be treated as leave without pay.

2. That in view of the aforesaid Settlement the dispute has been finally resolved between the parties.

3. That a cost of Rs. 115 (Rupees one hundred and fifteen only) shall be paid by the Employer to the Representative of the Union, Shri J. D. Lal, Advocate.

R. D. P. SINHA, Acting Sub Area Manager,
Bhagaband Sub Area No. XIII.

J. D. LAL, Advocate, and
Secretary Representing the Workmen.

S. S. Mukherjee, Advocate,

Representing the Management.

Dated the 4th June, 1974

S.O. 1751—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of National Coal Development Corporation Limited, Ranchi and their workmen which was received by the Central Government on the 26th June, 1974

[No. L-2012/135/71-LRIII]

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

SHRI K. K. SARKAR, Judge,
Presiding Officer.

Reference No. 61 of 1971

In the matter of an industrial dispute under S. 10(1)(d) of the Industrial Disputes Act, 1947.

PARTIES :

Employers in relation to the management of National Coal Development Corporation Limited, Ranchi.

AND

Their workmen

APPEARANCES :

On behalf of the employers : Shri S. S. Mukherjee, Advocate

On behalf of the workmen : Shri J. D. Lal, Advocate. State : Bihar. Industry : Coal.

Dhanbad, 18th June, 1974

AWARD

The Government of India, Ministry of Labour and Rehabilitation in the Department of Labour & Employment is of opinion that an industrial dispute exists between the employers in relation to the management of National Coal Development Corporation Limited, Ranchi and their workmen and accordingly they referred the said industrial dispute u/s 10(1)(d) of the I.D. Act, 1947 to this Tribunal by their order No. I/2012/135/71-LR. II dated 15-12-1971 for adjudication upon the issue as mentioned in the schedule below.

SCHEDULE

"Whether the employers in relation to the Kathara Washery of Messrs. National Coal Development Corporation Limited, was justified in reverting Shri Jai Narayan Singh, Work Mistry from the post of work supervisor ? If not, to what relief he is entitled and from what date ?

Whether supersession of Shri T. T. Acharjee of the Kathara Washery by Sarvashri B. B. Lal of Kargali Colliery and K. P. Singh of Kathara Colliery in the matter of promotion to the post of Foreman-in-charge is justified ? If not, to what relief is he entitled and from what date ?"

After receipt of the above order of reference both sides appeared through their authorised representatives and submitted written statements. Some documents were also filed by both sides. The case proceeded along its course and the same was fixed for evidence and arguments in due course. On 2-5-1974 a memorandum of settlement was filed in this court and on 9-5-1974 the contents of the memorandum of settlement were verified as correct by Shri S. S. Mukherjee, Advocate representing the employers and by Shri J. D. Lal, Advocate representing the workmen. I heard both sides on the terms of settlement resolving the dispute and it was submitted before me that as the dispute has been amicably settled the terms may be accepted and an award passed accordingly. Going through the memorandum of settlement I find that the same has been signed by Shri B. Guha, Zonal Secretary, National Coal Organisation Employees Association, Kathara, and by Shri J. D. Lal, Advocate, representing the workmen and also by the concerned workmen from the side of the workmen. From the side of the management the same has been signed by Shri S. S. Mukherjee, Advocate. I have gone through the terms embodied in the memorandum of settlement and find them beneficial to both sides. There is no reason why the terms of the settlement should not be accepted. Accordingly, I make an award in terms of the memorandum of settlement filed before me which do form a part of the award as Annexure A.

ANNEXURE A

BEFORE THE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2

DHANBAD

Reference No. 61 of 1971

Employers in relation to the Management of National Coal Development Corporation,

AND

Their Workmen—as represented by the NCOEA.

The parties above named beg to submit that, without prejudice to the contentions contained in their respective written statement the disputes in the above Reference has been amicably settled on the following :— Terms :—

- (1) Shri T. T. Acharjee of the Kathara Washery will be deemed to have been promoted to the post of Foreman In-charge w.e.f. 12-9-1969.
- (2) That the above promotion will be considered as a national and he will not be entitled to claim any arrear payment on account of this promotion.
- (3) That Sri T. T. Acharjee will belong to the Washery Cadre and his future claim for seniority, promotion etc. will be confined to the Washery Cadre only.
- (4) That by 1-6-1974 Sri T. T. Acharjee will be considered for selection and consequent promotion to the post of Asstt. Engineer in the Washery Cadre according to the existing Rules of N.C.D.C. Ltd.
- (5) That the parties specifically agree that the national promotion of Sri T. T. Acharjee as mentioned in the terms of the settlement has been made on a special consideration and will not be quoted as a precedent in other cases whatsoever.
- (6) That since Sri Jainarayan Singh, one of the workman concerned in the reference has since been promoted by the management to the post of work Supervisor, the Union withdraws the dispute relating to Sri Singh from the tribunal on the understanding that it would explore the possibility of directly negotiating it with the management so far as the question of his seniority is concerned.
- (7) That the above terms of settlement finally resolves the dispute pending before the Hon'ble Tribunal concerning Sri T. T. Acharjee and Sri Jainarayan Singh.

It is, therefore, humbly prayed that the above terms of settlement may kindly be accepted and an Award passed in terms thereof.

For Workman

(J. D. LAL)

For Employers

(S. S. MUKHERJEE)
Advocate.

(B. GUHA)

(T. T. ACHARJEE)

Zonal Secretary

Concerned Workman.

NCOEA Kathara.

[No. L-2012/135/71-LR II]

S.O. 1752.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Sree Lakhumata Colliery of Messrs J. K. Gorai and Company, Post Office Chirkunda, District Dhanbad and their workmen which was received by the Central Government on the 26th June, 1974.

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO 2) AT DHANBAD

PRESENT

Shri K K Sarkar, Judge,

Presiding Officer

Reference No 4 of 1973

In the matter of an industrial dispute u/s 10(1)(d)
of the Industrial Disputes Act, 1947

PARTIES

Employers in relation to the management of Shri Lakhimata colliery of Messis J K Goral and company,
Post office Chirkunda District Dhanbad,

AND

The workmen

APPEARANCES

On behalf of the employers None

On behalf of the workmen Shri J D Lal, Advocate

State Bharat Industry Coal
Dhanbad, 21st June, 1974

AWARD

The Government of India, Ministry of Labour and Rehabilitation in the Department of Labour & Employment is of opinion that an industrial dispute exists between the employers in relation to the management of Shri Lakhimata Colliery of Messis J K Goral and Company Post office Chirkunda, District Dhanbad and their workmen. Accordingly, the said dispute has been referred to this Tribunal u/s 10(1)(d) of the ID Act, 1947 by order No L/2012/144/72-LR II dated 20th January, 1973 for adjudication upon the issue as mentioned in the schedule below

SCHEDULE

"Whether the action of the management of Sree Lakhimata Colliery of Messis J K Goral and Company, Post office Chirkunda, District Dhanbad in laying off of the workmen with effect from the 7th October, 1972 vide their notice dated 7th October, 1972 is justified? If not to what relief the workmen are entitled?"

On receipt of the above order of reference notices were issued to and duly served upon the parties. The workmen represented by their union submitted their written statement in due course and also documents. The management of Sree Lakhimata colliery never appeared inspite of the service of notice upon them. At one stage the workmen represented by the union submitted a petition for impleading Coal Mines Authority as a party to the dispute but subsequently it appears that the said petition was not pressed. The reference proceeded along its course and the employers all along remained absent without taking any steps. In view of the above circumstances the case was taken up for ex parte hearing and the workmen went it alone.

The case of the workmen is that they were workmen in Lakhimata colliery and the management of the said colliery was adopting unfair labour practice by not paying proper wages to them and accordingly they formed a branch of Bihar Colliery Kamgarh Union in which they were members in their colliery. Thereafter they presented a charter of demands to the employers through their union. The management sharply reacted to this and laid off the entire strength of workmen with a view to victimise them. The management of the colliery has since been taken over by the Coal Mines Authority w.e.f 30-1-1973. The lay off is alleged to be illegal and unjustified resorted to by the management to victimise the workmen.

By the terms of reference the point closed is that there was a lay off of workmen in the above colliery w.e.f 7-10-1972 and the point open is if such lay off is justified and

what relief flows in the case of lay off being not justified. The workmen led ex parte evidence in this case examining Shri Kedar Pandey who claims to be the Secretary of the Bihar Colliery Kamgarh Union and one Shri Monilal Pal who claims to be a workman in the colliery. The evidence of the Secretary of the union is that the entire workmen of the colliery became members of Bihar Colliery Kamgarh union. He further says that the colliery was depriving the workmen of their dues and accordingly a charter of demands was placed before the management and the management laid off the workmen to harass them because of their trade union activities. Shri Monilal Pal, W.W. 2 who is a workman in the colliery says that the Bihar Colliery Kamgarh union placed a charter of demands to the management and the management laid off the entire staff. His further evidence is that the entire workmen of the colliery remained laid off upto 3 months after the take over. This is all the evidence. Now u/s 2(kkk) of the ID Act lay off means, among other things, the failure or inability on the part of the employer on account of shortage of raw materials or breakdown of machinery etc to give employment to a workman whose name is borne on the muster rolls of his industrial establishment. Generally, if the requirements of the definition u/s 2(kkk) are satisfied the lay off can be said to be justified. If the lay off is malafide or if the lay off has been declared in order to victimise the workmen or for some other ulterior purpose and the requirements of the definition of lay off are not fulfilled, the lay off in such circumstances can be said to be unjustified. The case of the workmen is that they lay off in the present case is unjustified inasmuch as it was resorted to victimise the workmen for their joining a trade union and placing a charter of demands before the company. As the workmen claim the lay off to be unjustified and as the case is going ex parte, it has to be satisfactorily established that the lay off as declared by the colliery was not justified. Nothing is forthcoming before me to deduce that the requirements of S 2(kkk) were not fulfilled before declaring the lay off. Facts and circumstances are not also strong enough for me to hold that the lay off as declared by the colliery was malafide or it was resorted to to victimise the workmen or with some ulterior purpose. The fact remains that since the inception of the lay off the colliery never resumed working by calling off the lay off. It further appears from the evidence that the colliery again became active after the take over. It cannot be said with any decree of certainty that the colliery will virtually close their business only to victimise the workmen. I am therefore unable to hold that the lay off was unjustified or malafide. On the other hand, I am to hold in the facts and circumstances of the case that the lay off as declared by the colliery is justified. Now, if the lay off was malafide or unjustified then it would not be a lay off sanctioned under S 2(kkk) and the relief provided to the laid off workmen u/s 25(c) would not be the only relief to which they are entitled. In that case something more than the statutory compensation may be called for. If on the other hand the lay off is justified and it satisfies the requirements of the definition the only relief to which the laid off workmen are entitled to is the statutory relief provided under S 25(C). Here in this case I find that the lay off is justified. No materials have however been placed before me to show far all the laid off workmen are qualified for compensation u/s 25(C) of the ID Act.

In the result the workmen who have been laid off are entitled to recover lay off compensation in accordance with the provisions of this Act. S 25(C) provides the requirements and limitations as to the entitlement of lay off compensation. The employers in relation to the management of Shree Lakhimata colliery is therefore to prepare a list of the workmen qualified to get lay off compensation u/s 25(C) as early as possible and such workmen as found so qualified will be entitled to recover lay off compensation in accordance with the provisions of the Industrial Disputes Act:

This is my award

K. K. SARKAR, Presiding Officer

[No L-2012/144/72-LR II]

KARNAIL SINGH, Dy Secy

New Delhi the 29th June, 1974

SO 1753—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial

Tribunal, Central Chandigarh, in the industrial dispute between the employers in relation to the Universal Fire and General Insurance Company Ltd. Amritsar and their workmen, which was received by the Central Government on the 27th June, 1974.

BEFORE SHRI H. R. SODHI, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, CENTRAL, CHANDIGARH

Reference No. 13/C of 1973

BETWEEN

the workman and management of the Universal Fire and General Insurance Company, Delhi.

APPEARANCES :

Shri R. K. Mittal—for the workman.

Sarvshri P. P. Kharana and C. L. Narula—for the management.

AWARD

This Reference relates to a dispute raised between the employers in relation to the Universal Fire & General Insurance Company Ltd., referred to hereinafter as the Company, and their workman. As a matter of fact, this company, after the nationalisation of fire and general insurance in India has now ceased to function and is merged in United India Fire & General Insurance Co. Ltd., which is one of the main groups of erstwhile fire and general insurance companies nationalised by the Central Government w.e.f. 1-1-74 though earlier to that only a limited control over the managements of such companies had started on 13-5-71 through an ordinance. Shri K. L. Gupta, the concerned workman in this case whose cause had been espoused by General Insurance Employees Association, Northern Zone, New Delhi was appointed as an Accountant in Amritsar Branch of the company by an order dated 14-12-1962, Ext. R/6, on a total remuneration of Rs. 160/- P.M. including dearness allowance. The appointment came in the wake of an application dated 3rd December, 1962 made by the workman. The probationary period of the workman was fixed at six months as per company's rules. Shri A. R. Gupta, R. W. 2, was the Branch Manager Amritsar at the time of initial appointment of the workman and it is deposed by him that sanction for the appointment of the workman as Accountant might have been received from the Head Office. One Shri P. C. Sharma was already working as a clerk-cum-typist at the time Shri K. L. Gupta was appointed as Accountant and drawing less emoluments. The workmen of the Company served a charter of demands on the management which led to Reference No. CGIT-2/13 of 1968 to the Industrial Tribunal No. 1, Bombay under Section 10(2) of the Industrial Disputes Act, 1947, described hereinafter as the Act. One of the demands was for re-classification of the employees of the Company and fixation of their scales of pay in terms of the demands. The Tribunal by its award published in the Gazette of India dated January 3, 1970, refused to re-classify the employees but directed that the then existing classification as it prevailed at the Head Office of the Company be introduced in all its branches. Para 18 of the award, extract whereof is Ext. A/2, reads as under :—

"18. I am, however, of the view that the classification of various employees prevailing in the Head Office at Bombay should be made uniform in all the branches of the company at all places all over India. In the end I reject the demand No. 1 for re-classification of employees but however pass the following order :—

ORDER

The existing classification of employees at the Head Office of the company in Bombay should be introduced in all the branches of the company at all places."

In para 114 of the award are given the pay scales of different categories of employees as is indicated in Ext. A/2. Clerks and typists are placed in the pay scale of Rs. 125-8-173-10-233-12-293-EB-15-368-17-385 (23 years) whereas

Assistant Cashiers and Cashiers have higher pay scales. The Company classified the respondent workman as a clerk and gave him the pay scale fixed for that category of employees. He was paid arrears accordingly as his earlier pay scale was less and he accepted the same without demur. He, however, subsequently raised an industrial dispute that since he was working as a cashier he was entitled to be placed in the higher category. Conciliation proceedings held by the Assistant Labour Commissioner failed as is clear from the minutes of the meeting, Ext. A/1, as held between the parties. The Central Government then in exercise of the powers conferred on it by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred to this Tribunal, the following matter for adjudication :—

"Whether the action of the management of Universal Fire and General Insurance Company in placing Shri K. L. Gupta, Accountant, Universal Fire and General Insurance Company, Amritsar, in the grade of Rs. 125-385 admissible to clerk and typists was justified? If not, to what relief is he entitled?"

Claim statement was filed by the workman and their main plea is that Shri K. L. Gupta ought to have been classified as Senior Assistant in view of the duties performed, by him, more so, when employees performing same or similar duties in Head Office they are classified as such and placed in higher pay scales. It is also stated in the claim statement that the concerned workman submitted several representations to the management seeking necessary relief but nothing came out. The United Fire & General Insurance Co. Ltd., made an application that since that company in whose name the reference has been made was not functioning and its interest vested in the applicant company, the latter be impleaded as a party and permitted to file a written statement. Written statement was accordingly filed. It is pleaded that the workman at the time of his appointment was given a consolidated salary of a typist clerk but he was not intended to be appointed as a Senior Assistant or a Cashier. Amritsar Branch of the Company is stated to be a small branch where only two clerks are working. It is further pleaded that the business transacted there being meagre, no post of a Senior Assistant or a Cashier was necessary. A rejoinder was filed by the workmen in which averments of the management were refuted. On the pleadings of the parties, the following issues were framed :—

Preliminary issue

Whether the Tribunal has no jurisdiction to adjudicate upon the reference for the grounds stated in paras (1) and (2) of the written statement, wherein it is pleaded inter alia that the subject matter of reference is not within the competence of this Tribunal, nor is the respondent management an employer of the allegedly aggrieved employee, Shri K. L. Gupta ?

On merits.

- (1) Whether the respondent management was justified in placing Shri K. L. Gupta, Accountant, posted at Amritsar, in the grade of Rs. 125-385 as is admissible to clerks and typists ?
- (2) If issue No. (1) is found against the management and for the workman, to what relief is the latter entitled ?

The burden of the preliminary issue and issues on merits lay on the management which led evidence first and produced Shri G. D. Nayar, Officer Incharge, United India Fire & General Insurance Co. Ltd. (Unit: Universal), 24, Bhagat Ram Road, Darya Ganj, Delhi R.W.1, and Shri A. R. Gupta, Branch Manager, United India Fire & General Insurance Co. Ltd. posted at Amritsar as R.W.2. No evidence was led on the preliminary issue nor was the same pressed at the time of arguments. The preliminary issue thus stands decided against the management as not being pressed.

The sole question that arises on merits is as to what duties and responsibilities were assigned to Shri K. I. Gupta and that in view of his job in what category of employees he is entitled to be placed in the light of the aforesaid award. There is no manner of doubt that in his letter of appointment, Ext. R/6, the workman has been designated as an Accountant. I have also no doubt in my mind that his appointment was approved by the Head Office and it was, indeed, admitted by Shri G. D. Nayar R.W. 1, in his statement. It is true that only two clerks were working in the office at Amritsar but the company for reasons best known to it gave Shri Gupta, higher emoluments and designated him as an Accountant in contra distinction to a mere clerk. The evidence of Shri A.R. Gupta, A.W.2, who has been in the picture throughout inasmuch as he was the Branch Manager when the workman was originally appointed and he is still continuing there after the nationalisation of general insurance is a pointer to tell us about the nature of duties performed by the workman. Amongst the duties assigned to the workman are the maintenance of cash book, general ledger, receipt of cash and making payments, signing of cover notes in absence of the Branch Manager. I am satisfied that the workman was being treated by the respondent as one occupying a higher status than Shri Sharma and the duties assigned to him were also such which required greater responsibility. At any rate he was admittedly working as a cashier though may be that no post of a cashier as such had been created in the office at Amritsar. Shri G.D. Nayar, R.W. 1, had been working as Accountant in the Divisional office at Delhi for sometime. He has stated that posts of Accountants existed only in Head Office or in Divisional offices but none in the Branch offices. These Accountants fall in the category of officers and accounts in branch offices, according to the witness are maintained by the clerks. On behalf of the management it is vehemently contended that in the absence of a post existing in the Branch office, the claim of the workman that he should be graded as a cashier or a senior assistant, both posts being equivalent, is without any substance. The management loses sight of the fact that the Bombay Tribunal has by its award referred to above called upon the management that classification of various employees as it prevails in the Head Office should be introduced in all branches as well though the demand for re-classification was rejected. In para 114 of the award, scales of pay of different classes of employees are stated and they have been made applicable in all the branches of the respondent Company. Clerks and typists have been placed in one category whereas Junior Assistants, Assistant Cashiers and Stenographers in the other. Cashier and Senior Assistants form a still higher class of employees. The management was bound to have classified the employees in their branches according to the classification as stated in para 114 and give them the scales of pay as stated therein. The classification has to be job-wise and the grievance of the workman that he is not being classified according to the award seems to me to be well founded. He is beyond dispute performing the duties of a cashier though may not be entitled to be classified as an Accountant which is the designation of the officers working in Divisional offices or in Head Office. The rationalisation of services of the respondent company requires that it should in terms of the award and according to the duties assigned to its workmen classify them

and the mere fact that number of office hands working in a Branch is not large does not warrant that classification should be withheld. I cannot decide whether the workman should be categorised as a Junior Assistant, Assistant Cashier or Cashier and Senior Accountant. The management has to adopt one uniform pattern for all its branches and I do not, therefore, propose to create difficulties for them by declaring this workman to be entitled to be placed in a particular category. I, however, direct that he should be classified in either of the categories (e) and (f), namely, of Junior Assistants, Assistant Cashier, and Cashier and Senior Assistant according as the nature of the job demands and after bearing in mind the pattern which the company is going to adopt in all its Branches. The Reference thus stands disposed of accordingly with no order as to costs.

H. R. SODHI, Presiding Officer

[File No. L-17011/16/72-LR. I]

S. S. SAHASRANAMAN, Under Secy.
प्रारेग

नई दिल्ली, दिनांक 29 जून, 1974

कांग्रेस 1754:—यहन् मोर्मुगांग्रो पत्तन न्यायम्, मोर्मुगांग्रो के प्रबन्धनत्व में सम्बन्ध नियोजकों और उनके कर्मकारों के बीच, जिनका प्रतिनिधित्व मोर्मुगांग्रो पत्तन और रेलवे श्रमिक यूनियन, मोर्मुगांग्रो करती है, एक औद्योगिक विवाद विद्यमान है;

अम्भर यतः उक्त नियोजकों और उनके कर्मकारों ने औद्योगिक विवाद प्रथिनियम, 1947 (1947 का 14) की धारा 10क की उपधारा (1) के अधीन एक लिखित कागर द्वारा उक्त विवाद को माध्यस्थम के लिये निर्देशित करने का करार कर लिया है और, उक्त प्रथिनियम की धारा 10क की उपधारा (3) के अधीन उक्त माध्यस्थम करार की एक प्रति केन्द्रीय सरकार को भेजी है;

अतः, प्रव, उक्त प्रथिनियम की धारा 10क के उपधारा (3) के अनुसरण में, केन्द्रीय सरकार उक्त करार को, एतद्वारा प्रकाशित करती है।

औद्योगिक विवाद प्रथिनियम, 1974 की उपधारा 10क के अधीन करार के बीच

नियोजकों का प्रतिनिधित्व करने वाले : मोर्मुगांग्रो के पत्तन का न्यायी और प्रतिनिधित्व करने वाले:—

श्री शार० जे० मजीठिया,

अध्यक्ष

कर्मकारों का प्रतिनिधित्व करने वाले : मोर्मुगांग्रो पत्तन और रेलवे श्रमिक यूनियन प्रतिनिधित्व करने वाले श्री मिहुइल एलफौसो, प्रधान

पक्षकारों के बीच करार किया गया है कि निम्नलिखित औद्योगिक विवाद को श्री टी० एम० शंकरन, संयुक्त सचिव, श्रम मंत्रालय, श्रम शक्ति भवन रफी मार्ग, नई दिल्ली के माध्यस्थम के लिये निर्देशित किया जाये।

(I) विनिर्दिष्ट विवादप्रस्त विषय—पत्तन और डाक कर्मकारों के लिये केन्द्रीय मजदूरी और की रिपोर्ट, उम पर लिये गये सरकारी नियायों और अन्य सम्बन्धित विषयों, अविल भारतीय पत्तन और डाक कर्मकार के इरेण द्वारा उठाई गई मांगों और इन पर आगे किये गये विवाद-विमर्श के सन्दर्भ में, महापंतनों के पत्तन और डाक कर्मकारों से संबंधित निम्न-

लिखित विवादप्रस्त विधयों को श्रीबोगिक विवाद अधिनियम, 1947 की धारा 10क के अधीन याइयन्थम के लिये, गुण-दोष के आधार पर निर्णय निर्देशित किये जाने का करार किया गया है:—

- (1) क्या अर्थसाहाय्य प्राप्त श्रीबोगिक आवास योजना में अर्थसाहाय्य के निवार और अन्य सुमित्र कारणों की ध्यान में रखते हुये मानक मकानों के किराये की वसूली की गरकार द्वारा प्रस्तावित दरों को, प्रथम्, जहां मूल बेतन 200 रु. मासिक प्रतिमाह से कम है वहां मूल बेतन का (परन्तु नगर प्रतिकर भत्ते का नहीं) $7\frac{1}{2}$ प्रतिशत और जहां कठ 200 रु. प्रति माह या उससे अधिक है, वहां मूल बेतन (परन्तु नगर प्रतिकर भत्ते का नहीं) का 10 प्रतिशत, घटाया जाना चाहिये और यदि हां, तो किम सीमा तक?
- (2) क्या महा पत्तों के पतन और डाक कर्मकारों के लिये केन्द्रीय मजदूरी बोर्ड की रिपोर्ट के आधार पर सरकार द्वारा स्वीकृत संपोषित बेतनमानों में बेतन के निर्धारण के विषय में, मजदूरी बोर्ड की मिफारिश के अनुसार सरकार द्वारा मजुर की गई 11.80 रु. प्रतिमाह की अनन्तरिम महायता या उसके भाग को ध्यान में रखा जाना चाहिये?
- (3) क्या मकान किराया भत्ते और नगर प्रतिकर भत्ते के प्रधोजन के लिये, महाराई भत्ते (प्रतिनियन महाराई भत्ते और समय समय पर महाराई भत्ते में की गई बृद्धियो महित) को अप्रत्यया पूर्णतः बेतन के रूप में माना जाना चाहिये?

(ii) विवाद के पक्षकारों का विवरण, जिसमें ग्रन्त स्थापनों या उपक्रमों के नाम और पते भी सम्मिलित है:—

- (1) मोर्मुगाओ के पत्तन का न्यासी बोर्ड—गावा
- (2) मोर्मुगाओ पत्तन और रेलवे अधिकारी यूनियन, वाल्को डी गामा गोवा।
- (iii) यूनियनों के नाम: मोर्मुगाओ पत्तन और रेलवे अधिकारी यूनियन।
- (iv) प्रभावित उपक्रम में तियोजित कर्मकारों की कुल संख्या। 2247
- (v) विवाद में प्रभावित या सभाव्यन् प्रभावित कर्मकारों की अनुमानित संख्या।

मध्यस्थ ग्रन्ता पंचाट तीन मास की सवधि या इन्हें और समय के भीतर जो हमारे बीच पारस्परिक विवित करार द्वारा बढ़ाया जायें, देंगा।

उपर्युक्त श्रीबोगिक विवाद को श्री ए. प० टी० जाम्बे, पीठासीन अधिकारी, केन्द्रीय सरकार श्रीबोगिक अधिकरण-एवं श्रम न्यायालय सभ्या 2, चौथी मजिल, मिट्टी आईन विलिंग, 248 आजारगेट, फोर्ट अम्बर्ह को निर्देशित करने मम्बन्धी पिछला करार, जो हमने 22 जून, 1973 को किया था और जिसे भारत सरकार के श्रम और पुनर्वासि मन्त्रालय (श्रम और रोजगार विभाग) ने अपने ग्रावेस संख्या 39013/1/73-पी० एंड डी०(viii) तारीख 17 जुलाई, 1973 के रूप में भारत के राजपत्र, साग 2, छंड 3, उपलंड (ii) में प्रकाशित किया था, एम्ड्वारा रद्द किया जाता है।

पक्षकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले.

मोर्मुगाओ 14 जून, 1974।

ह०/—
प्रार० ज० मेजीठिया,
प्रधान
मोर्मुगाओ पत्तन न्यास

कर्मकारों का प्रतिनिधित्व करने वाले।
मोर्मुगाओ 14 जून, 1974।

ह०/—
मिगुह्ने एल्फोन्सो,
प्रधान,

साक्षी मोर्मुगाओ पत्तन और रेलवे अधिकारी यूनियन

1. ह०/—अपार्ट्य
रेलवे रेलवे, महामचिव,
[मोर्मुगाओ पत्तन और रेलवे अधिकारी यूनियन।
2. ह०/—अपार्ट्य
एम० ज० कुरियन, मचिव,
[मोर्मुगाओ पत्तन न्यास, मोर्मुगाओ।

[स० एम० 39013/1/73-पी० एंड डी०(ii)]

ORDER

New Delhi the 29th June, 1974

S.O. 1754.—WHEREAS an industrial dispute exists between the employees in relation to the management of Mormugao Port Trust, Mormugao and their workmen as represented by the Mormugao Port and Railway Workers' Union, Mormugao ;

AND WHEREAS, the said employers and their workmen have by a written agreement under sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government under sub-section (3) of section 10A of the said Act, a copy of the said arbitration agreement ;

NOW, THEREFORE, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement.

AGREEMENT UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947.

Between

Presenting employers.—The Board of Trustees of the Port of Mormugao. Represented by Shri R. I. Majithia, Chairman.

Representing Workmen.—Mormugao Port & Railway Workers' Union, Represented by : Shri Miguel Alfonsi, President.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri T.S. Sankaran, Joint Secretary, Ministry of Labour, Shram-Shakti Bhavan, Rafi Marg, New Delhi.

- (i) Specific matters in dispute.—In the context of report of the Central Wage Board for Port and Dock Workers, the decisions of the Government thereon, and other related matters, the demands raised by the All India Port and Dock Workers Federation and the further discussions held on these, the following matters in dispute relating to Port and Dock Workers of the Major Ports are agreed to be re-

ferred to arbitration under Section 10A of the Industrial Disputes Act, 1947, for decision on merits.

- (1) Whether, and, if so, to what extent the rates for recovery of rent for standard houses proposed by Government, namely, 7 1/2 per cent of basic pay (and not City Compensatory allowance), where basic pay is less than Rs. 200 per mensem, and at the rate of 10 per cent of basic pay (and not City Compensatory Allowance), if it is Rs. 200 per mensem or more, should be reduced taking into account the subsidy element in the Subsidised Industrial Housing Scheme and other relevant factors.
- (2) Whether in the matter of fixation of pay in the revised scales accepted by the Government on the basis of the Central Wage Board Report for Port and Dock Workers at Major Ports, the interim Relief of Rs. 11.80 per mensem or part thereof granted by Government as recommended by the Wage Board should be taken into account.
- (3) Whether Dearness Allowance (including additional Dearness Allowance and increases in Dearness Allowance from time to time) in part or full should be treated as pay for the purpose of House Rent Allowance and City Compensatory Allowance.

(ii) Details of parties to the dispute including the names and addresses of the establishments or undertakings involved :

- (1) The Board of Trustees of the Port of Mormugao, Mormugao—Goa.
- (2) Mormugao Port & Railway Workers' Union, Vasco da Gama—Goa.

(iii) Name of the Unions: Mormugao Port & Railway Workers Union.

(iv) Total number of workmen employed in the undertaking affected : 2247.

(v) Estimated number of workmen affected or likely to be affected by the dispute : 2247.

The arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing.

The previous agreement entered into by us on 22-6-1973 and published by the Government of India, Ministry of Labour and Rehabilitation (Department of Labour and Employment) in Part II, Section 3, sub-section (ii) of the Gazette of India Vide their Order No. L-39013/1/73-P&D (viii) dated 17-7-1973, to refer the above mentioned industrial dispute to the arbitration of Shri A. T. Zambre, Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court, No. 2, 4th Floor, City Ice Building, 298, Bazargate Street, Fort, Bombay is hereby cancelled.

SIGNATURE OF THE PARTIES

Representing employers : Sd/- R. J. Majithia Chairman, Mormugao : 14th June, 1974. Mormugao Port Trust.

Representing workmen : Sd/- Miguel Alfonso President. Mormugao : 14th June, 1974. Mormugao Port & Railway Workers' Union

Witnesses :

1. Sd/- Rex Rodrigues, Genl. Secretary, Mormugao Port & Railway Workers Union.
2. Sd/- M. J. Kurian, Secretary, Mormugao Port Trust, Mormugao.

[No. L-39013/1/73/P&D(V)]

आवेदन

का० आ० 1753.—यतः विशाखापत्तनम पत्तन न्याम, विशाखापत्तनम के पश्चिमतम मे० मध्यव नियोजकों और उनके कर्मकारों के बीच, जिनका प्रतिनिधित्व विशाखापत्तनम पत्तन कर्मचारी यूनियन, विशाखापत्तनम करती है, एक औद्योगिक विवाद विद्यमान है।

प्रौर यतः उक्त नियोजकों और उनके कर्मकारों ने औद्योगिक विवाद प्रधिनियम, (1917 (1947 का 14) की धारा 10क की उपधारा (1) के अधीन एक लिखित कागज द्वारा उक्त विवाद को माध्यस्थम के लिये निर्देशित करने का कागज कर लिया है और उक्त प्रधिनियम की धारा 10क की उपधारा (3) के अन्तर्गत उक्त माध्यस्थम कागज की एक प्रति केन्द्रीय सरकार को भेजी है;

अतः प्रत्ये उक्त प्रधिनियम, की धारा 10क की उपधारा (3) के प्रत्युमरण मे० केन्द्रीय सरकार उक्त कागज को, एतद्वारा प्रकाशित करती है।

अध्य वोगिक विवाद प्रधिनियम, 1947 की धारा 10क के अधीन कागज के बीच

नियोजकों का प्रतिनिधित्व करने वाले: अध्यक्ष, विशाखापत्तनम पत्तन न्याम, विशाखापत्तनम।

कर्मकारों का प्रतिनिधित्व करने वाले: अध्यक्ष, विशाखापत्तनम पत्तन कर्मचारी यूनियन विशाखापत्तनम (अधिक भाग अन्त पत्तन और गोवी अमिक फैब्रिलेशन से मध्यव)

पक्षकारों के बीच कागज किया गया है कि निम्नलिखित औद्योगिक विवाद को श्री टी० पस० एंकरन, संयुक्त सचिव, श्रम संवालय, श्रम यादिन अधिक, रक्षणार्थी दिल्ली के माध्यस्थम के लिये निर्देशित किया जाये।

(i) विनिष्टिट विवादपत्र विषय—पत्तन और डाक कर्मकारों के लिये केन्द्रीय मजदूरी बोर्ड की रिपोर्ट, उस पर लिये गये सरकारी निर्णयों, और अन्य संबंधित विषयों, अधिक भारतीय पत्तन और डाक कर्मकार फैब्रिलेशन द्वारा उत्तर्ह गई मार्गों और इन पर आगे किये गये विवादविषय के सन्दर्भ मे०, महा पत्तन के पत्तन और डाक कर्मकारों से संबंधित निम्नलिखित विवादपत्र विषयों को औद्योगिक विवाद प्रधिनियम, 1947 की धारा 10 के अधीन माध्यस्थम के लिये, गुण-रौप के आधार पर निर्णयार्थी निर्देशित किये जाने का कागज किया गया है—

(1) क्या अर्थसाहाय्य प्राप्त औद्योगिक आवास योजना में अर्थ साहाय्य के तत्व और अन्य सुरक्षित कारणों को ध्यान में रखते हुये मातक मकानों के कियाये की वसूली की भरकार द्वारा प्रस्तावित दरों को, प्रथमत जहा० मूल वेतन 200 ह० प्रतिमाह मे० कम है वहाँ भूल वेतन का (परस्तु नगर प्रतिकर भने का नही०) 7-1/2 प्रतिशत और जहा० वह 200 ह० प्रति माह या उसमे० अधिक है, वहाँ भूल वेतन (परस्तु नगर प्रतिकर भने का नही०) का 10 प्रतिशत घटाया जाना चाहिये और यदि हाँ, तो किम सीमा तक?

(2) क्या महा पत्तनों के पत्तन और डाक कर्मकारों के लिये केन्द्रीय मजदूरी बोर्ड की रिपोर्ट के आधार पर सरकार द्वारा स्वीकृत संशोधित बेतनमानों मे० बेतन के निर्धारण के विषय में मजदूरी बोर्ड की सिफारिश के प्रत्युमार सरकार द्वारा मंजूर की गई

11 80 रुपये प्रतिमाह की अन्तरिम सहायता या उसके भाग को छान में रखा जाना चाहिये?

(3) क्या मकान किराया भत्ते और नगर प्रतिकर भत्ते के प्रयोजन के लिये, मंहंगाई भने (प्रतिरिक्त मंहंगाई भत्ते और समय-समय पर मंहंगाई भने में की गई वृद्धियों महित) को अंशतः या पूर्ण वेस्ट के रूप में माना जाना चाहिये?

(ii) विशाद के पक्षकारों का विवरण वी० के० राव, अध्यक्ष, विशाखा-जिम में अन्तर्वस्त स्थापनों या उप-पत्तनम, पत्तन न्यास (नियोजकों कमों के नाम और पत्ते भी मिमिलित हैं। डी० वी० के० शास्त्री, अध्यक्ष, विशाखापत्तनम पत्तन कर्मचारी यूनियन, विशाखापत्तनम (अखिल भारत पत्तन और गोदी श्रमिक फेडरेशन में सम्बन्ध)

(iii) संघों का नाम: विशाखापत्तनम पत्तन कर्मचारी यूनियन, विशाखापत्तनम (अखिल भारत पत्तन और गोदी श्रमिक फेडरेशन में सम्बद्ध)

(iv) प्रभावित उपकरम में नियोजित कर्मचारों की कुल संख्या: लगभग 10,000

(v) विशाद प्रभावित या संभाव्यत: प्रभावित होने वाले कर्मचारों की अनुमानित संख्या: लगभग 10,000

मध्यस्थ अपना पंचात सीन माम की अवधि या इसने और समय के भीतर जो हमारे शीघ्र पारस्परिक सिविल करार द्वारा बद्धाया जाये, देगा।

उपर्युक्त औद्योगिक विवाद को श्री ए० टी० जाम्बे, पीठासीन अधिकारी, केन्द्रीय मरकार औद्योगिक अधिकरण एवं श्रम न्यायालय संख्या 2, चौथी मंजिल, मिटी आईसी बिल्डिंग, 298, माजार गेट स्ट्रीट फोर्ट, बंगलौर को निर्देशित करने सम्बन्धी पिछला करार, जो हमने 29-5-1973 को किया था और जिसे भारत मरकार के श्रम और पुनर्वासी मन्त्रालय (श्रम और रोजगार विभाग) ने अपने ग्रावेंग संख्या का० आ० 1972 दिनांक 9-7-1973 में प्रकाशित किया था। एवडारा रद्द किया जाता है।

पक्षकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले:

श्री के० राव,
अध्यक्ष,
विशाखापत्तनम पत्तन न्यास,

कर्मचारों का प्रतिनिधित्व करने वाले:

डी० वी० के० शास्त्री,
अध्यक्ष,

विशाखापत्तनम पत्तन कर्मचारी यूनियन, विशाखापत्तनम (अखिल भारत पत्तन और गोदी श्रमिक फेडरेशन में सम्बद्ध।)

साक्षी :

1. अपाठ्य
2. अपाठ्य

[मं० एम०-39013/1/73-पी० एंड डी० (4)]

ORDER

S.O. 1755.—Whereas an industrial dispute exists between the employers in relation to the management of Visakhapatnam Port Trust, Visakhapatnam and their workmen as represented by the Visakhapatnam Port Employees' Union Visakhapatnam;

And whereas, the said employers and their workmen have by a written agreement under sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government, under sub-section (3) of section 10A of the said Act, a copy of the said arbitration agreement.

Now, therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement.

AGREEMENT UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947

Between

Representing employers

Chairman,

Visakhapatnam Port Trust;
Visakhapatnam.

Representing Workmen:

President,
Visakhapatnam Port Employees
Union, Visakhapatnam
(Affiliated to the All India
Port & Dock Workers'
Federation)

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri T. S. Sankaran, Joint Secretary, Ministry of Labour, Shram-Shakti Bhavan, Raft Marg, New Delhi-1.

(i) Specific matters in dispute—In the context of the report of the Central Wage Board for Port and Dock Workers, the decisions of the Government thereon and other related matters, the demands raised by the All India Port and Dock Workers Federation and the further discussions held on these, the following matters in dispute relating to Port and Dock Workers of the Major Ports are agreed to be referred to arbitration under Section 10A of the Industrial Disputes Act, 1947, for decision on merits:—

(1) Whether, and, if so, to what extent, the rates for recovery of rent for standard houses proposed by Government, namely, 7-1/2 per cent of basic pay (and not City Compensatory allowance), where basic pay is less than Rs. 200 per mensem, and at the rate of 10 per cent of basic pay (and not City Compensatory Allowance), of it is Rs. 200 per mensem or more, should be reduced taking into account the subsidy element in the Subsidised Industrial Housing Scheme and other relevant factors.

(2) Whether in the matter of fixation of pay in the revised scales accepted by the Government on the basis of the Central Wage Board Report for Port and Dock Workers at Major Ports, the interim relief of Rs. 11.80 per mensem or part thereof granted by Government as recommended by the Wage Board should be taken into account.

(3) Whether Dearness Allowance (including additional Dearness Allowance and increases in Dearness Allowance from time to time) in part or full should be treated as pay for the purpose of House Rent Allowance and City Compensatory Allowance.

(ii) Details of the parties to the dispute including the names and addresses of the Establishments or undertakings involved:

B. K. Rao, Chairman, Visakhapatnam Port Trust (Representing the Employers).

D.V.K. Sastry, President, Visakhapatnam Port Employees' Union, Visakhapatnam (Affiliated to the All India Port & Dock Workers Federation).

(iii) Name of the Unions:

Visakhapatnam Port Employees' Union, Visakhapatnam (Affiliated to All India Port & Dock Workers Federation).

(iv) Total number of workmen employed in the undertaking affected

About 10,000

(v) Estimated number of workmen affected or likely to be affected by the dispute

About 10,000

The arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing.

The arbitrator shall make his award within a period of and published by the Government of India, Ministry of Labour and Rehabilitation (Department of Labour and Employment) in Part II, Section 3, Sub-Section (ii) of the Gazette of India vide their Order No. S. O. 1972 dated the 9th July 1973 to refer the above-mentioned industrial dispute to the arbitration of Shri A.T. Zambre, Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court No. 2, 4th Floor, City Ice Building, 298, Bazargate Street, Fort, Bombay, is hereby cancelled.

Signature of the parties.

Representing the Employers

B. K. Rao
Chairman
Visakhapatnam Port Trust.

Representing workmen

D.V.K. Sastry
President,
Visakhapatnam Port Employees Union
Visakhapatnam.
(Affiliated to the All India Port & Dock Workers Federation).

Witnesses:

1. Illegible.

2. Illegible.

[No. L-39013/1/73-P&D(iv)]

आदेश

कांगड़ा 756.—यतः कोचीन (प्रा०) लिमिटेड की यूनाइटेड स्टीविंग्स एसोसियेशन कोचीन-1 के प्रबन्धलंबन से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, जिनका प्रतिनिधित्व कोचीन शुगमुदा थोजहीनाली यूनियन एंड स्टीमर टैलिं कलार्केस एसोसियेशन, कोचीन-2 करती है, एक औद्योगिक विवाद विद्यमान है;

और यतः उक्त नियोजकों और कर्मकारों ने औद्योगिक विवाद प्रधिनियम 1947 (1947 का 14) की धारा 10क की उपधारा (1) के प्रधीन एक लिखित कारावाहा उक्त विवाद को माध्यस्थम् के लिए निर्दिष्ट करने का काराव कर लिया है और उक्त प्रधिनियम की धारा 10क की उपधारा (3) के प्रधीन उक्त माध्यस्थम् काराव की एक प्रति केन्द्रीय सरकार को भजी है;

प्रतः यद्यु, उक्त प्रधिनियम की धारा 10क की उपधारा (3) के प्रत्युमरण में केन्द्रीय सरकार उक्त काराव को, एतद्वारा प्रकाशित करती है।

औद्योगिक विवाद प्रधिनियम, 1947 की धारा 10क के प्रधीन काराव के बीच

पर्याकारों के नाम नियोजकों का प्रतिनिधित्व करने वाले

1. श्री केंजी० भगत कोचीन (प्रा०) लि० की यूनाइटेड स्टीविंग्स एसोसियेशन कोचीन-1 का प्रतिनिधित्व करने वाले।

पर्याकारों का प्रतिनिधित्व करने वाले

1. श्री ए०ए० कोचुली कोचीन शुगमुदा थोजहीनाली यूनियन, कोचीन-2 का प्रतिनिधित्व करने वाले।

2. श्री आर० गोपी स्टीमर टैलिं कलार्केस एसोसियेशन, कोचीन-2 का प्रतिनिधित्व करने वाले।

पर्याकारों के बीच काराव किया गया है कि निम्नस्थित औद्योगिक विवाद को श्री टी० एस० शंकरन, संयुक्त सचिव, श्रम मंत्रालय, श्रम पार्क भवन, रक्षी भार्ग, नई विल्ली के माध्यस्थम् के लिए निर्देशित किया जाय।

(i) विनिर्विट विवादग्रस्त विषय—पत्तन श्रीर डाक कर्मकारों के लिए केन्द्रीय मजदूरी बोर्ड की रिपोर्ट, उस पर लिए गए सरकारी नियंत्रणों और अन्य संबंधित विषयों, प्रतिवाद भारतीय पत्तन श्रीर डाक कर्मकार फेंटेशन द्वारा उठाई गई मांगों और इन पर जारे किए गए विवाद-विमर्श के मन्दर्भ में, मलायत्त नों के पत्तन श्रीर डाक कर्मकारों से संबंधित निम्ननिवित विवादग्रस्त विषयों को औद्योगिक विवाद प्रधिनियम, 1947 की धारा 10क के प्रधीन माध्यस्थम् के लिए, गुण-दोष के आधार पर निर्णयार्थ निर्देशित किये जाने का काराव किया गया है।—

(1) क्या अर्थसाहाय्य प्राप्त औद्योगिक प्रावास योजना में अर्थसाहाय्य के तत्व और अन्य सुविधान कारणों की ध्यान में रखते हुए मानक मकानों के किराये की वसुली की सरकार द्वारा प्रस्तावित दरों को, अधृत, जश्हा मूल वेतन 200 रु० प्रतिमाह से कम है, वहाँ मूल वेतन का (परत्तु नगर प्रतिकर भने का नहीं) 7-1/2 प्रतिशत और जहा वह 200 रु० प्रति मास या उससे प्रधिक है, वहा मूल वेतन (परत्तु नगर प्रतिकर भने का नहीं)

का 10 प्रतिशत, घटाया जाना चाहिए और यदि हाँ, तो किस सीमा तक ?

(2) क्या महापन्नों के पन्नन और डाक कर्मकारों के लिए केन्द्रीय मजदूरी बोर्ड की रिपोर्ट के प्राधार पर मरकार द्वारा स्वीकृत संशोधन वेतनमानों में वेतन के निर्धारण के विषय में मजदूरी बोर्ड की विफारिण के अनुमार मरकार द्वारा मजूर की गई 11.80 रुपये प्रति माह की अन्तरिम महायता या उसके भाग को द्यान में रखा जाना चाहिए ?

(3) क्या मकान किराया भत्ते और नगर प्रतिकर भत्ते के प्रयोगन के लिए, महंगाई भत्ते (अतिरिक्त महंगाई भत्ते और समय-समय) पर महंगाई भत्ते में की गई बुद्धियों महित) को अप्पान, या पूर्णतः वेतन के रूप में माना जाना चाहिए ?

(ii) विद्यार्थ के पश्चारों का विवरण, जिसमें ग्रन्त स्थापनों या उपकरणों के नाम और पते भी सम्मिलित हैं :—

- (1) मैसर्स बी०ज० ब्रोना ए०ड क०, बाजार रोड, कोचीन-2
- (2) मैसर्स क०बी० जैकाक ए०ड मन्स, अमरावती, कोचीन- 1
- (3) मैसर्स पी०ग० अब्दुल्लाहीमान कुट्टी ए०ड मन्स, काल्वाडी, कोचीन-1
- (1) मैसर्स बी०बी०ग० हाह्डोरम ए०ड मन्स माट्टनबेरी, कोचीन-2
- (5) मैसर्स इल्यू०ग०ब०क०ज ए०ड मन्स, प्रिसेस स्ट्रीट, कोचीन-1
- (6) मैसर्स पुवाथ पारी ए०ड गन्म, कोचीन-1
- (7) मैसर्स ग्री० पी० मास्म० ए०ड मन्स, कोचीन-2
- (8) मैसर्स माड्य इंडिया कारपोरेशन (प्रा०) लि०, कोचीन-3
- (9) मैसर्स पाल अब्दाम्बो ए०ड मन्स, कोचीन-3
- (10) मैसर्स अब्दुल्लाह फिल्स ए०ड क०, कोचीन-3
- (11) मैसर्स न्यू थोलेरा शिपिंग ए०ड ट्रेडिंग क०, लि०, कोचीन-2
- (12) दि कोचीन गोदी श्रम बोर्ड, डाकघर पेटी संख्या 544, कोचीन-3।

(iii) संघों का नाम

- (1) कोचीन पुरामुशा थोजहीलाली यूनियन कोचीन-2
- (2) स्टीमर टैली कलाकर्म एसोसिएशन, मटनबरी जर्ब के सामने, कोचीन-2

(iv) प्रमाणित उपकरण में नियोजित कर्मकारों की कुल संख्या : 1-6-1974 को, श्वेषी 3 और 4 स्टाफ के 160 महित, 1662

(v) विश्वाद द्वारा प्रभावित या जैसा कि उपयुक्त IV में है, जहाँ सम्भाव्यतः प्रभावित होने वाले कर्मकारों की अनुमानित संख्या तक कोचीन गोदी श्रम बोर्ड और बोर्ड के स्टाफ के आरक्षित पूल में गोदी श्रमिकों का संबंध है।

मध्यस्थ अपना पचाट तीन मास की अवधि या इतने और समय के भीतर जो हमारे बीच पारम्परिक लिखित करार द्वारा बढ़ाया जाय, देगा।

उपर्युक्त श्रीयोगिक विवाद को श्री ए०टी० जागङ्ग, पीठामीन अधिकारी केन्द्रीय सरकार श्रीयोगिक अधिकरण-एवं-श्रम न्यायालय संख्या 2, जौधी प्रजिन, मिट्टी आईरा विलिंग, 298, बाजार रोड स्ट्रीट फॉर्ट बम्बई को निर्देशित करने सबौदी पिल्लावरार, जो हमने 10 जून, 1973 को किया था और जिसे भारत सरकार के श्रम और पुनर्वाय मंत्रालय (श्रम और गोदार विभाग) ने अपने प्रादेश संख्या ए०ल० 30013/1/73-पी० ए०ड रु० (X) तारीख, 30 जूनाई, 1973 के रूप में भारत के राजपत्र, भाग 2, ए०ड 3 उपर्युक्त (ii) में प्रकाशित किया था, एनद्वारा रद्द किया जाता है।

नियोजितों का प्रतिनिधित्व करने वाले

प्रशंसकों के हराक्षण

1. क० जी० भगत	रु०/-
कर्मकारों प्रतिनिधित्व करने वाले	
1. ए० ए० कोचुनी	रु०/-
2. आर० गोपी	रु०/-

(1) शी० पी० नायर, उप अधिकारी, कोचीन रु०ए०ल० बी०।

रु०/-

(2) आर० ए०स० पद्मनाभन, अधिकारी और पी० श्री०, कोचीन डाक सेबर बोर्ड, कोचीन।

[सं० ए०ल० 39013/1/73-पी०ए०ड पी०(3)]

ORDER

S.O. 1756.—Whereas an industrial dispute exists between the employers in relation to the management of United Stevedores Association of Cochin (Private) Limited, Cochin-1 and their workmen as represented by Cochin Thuramugha Thozhilali Union and Steamer Tally Clerks' Association, Cochin-2 ;

And, whereas, the said employers and their workmen have by a written agreement under sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government under sub-section (3) of section 10A of the said Act, a copy of the said arbitration agreement ;

Now, therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement.

AGREEMENT UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947

BETWEEN

Name of parties

Representing Employers

1. Shri K. G. Bhagat Representing the United Stevedores' Association of Cochin (P) Ltd, Cochin-1.

Representing workmen

1. Shri A. A. Kochunny Representing Cochin Thuramugha Thozhilali Union, Cochin-2.

Shri R. Gopi Representing Steamer Tally Clerks' Association, Cochin-2.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri T. S. Sankaran, Joint Secretary, Ministry of Labour, Shram-Shakti Bhavan, Rafi Marg, New Delhi-1.

(i) Specific matters in dispute.—In the context of the report of the Central Wage Board for Port and Dock Workers, the decisions of the Government thereon and related matters, the demands raised by the All India Port and Dock Workers' Federation and the further discussions

held on these, the following matters in dispute relating to Port and Dock Workers of the Major Ports are agreed to be referred to arbitration under Section 10-A of the Industrial Disputes Act, 1947, for decision on merits :—

- (1) Whether and if so to what extent the rates for recovery of rent for standard houses proposed by Government, namely 7-1/2 per cent of basic pay (and not City Compensatory Allowance), where basic pay is less than Rs. 200 per mensem, and at the rate of 10 per cent of basic pay (and not City Compensatory Allowance), if it is Rs. 200 per mensem or more should be reduced taking into account the subsidy element in the subsidised Industrial Housing Scheme and other relevant factors.
- (2) Whether in the matter of fixation of pay in the revised scales accepted by the Government on the basis of the Central Wage Board Report for Port and Dock Workers at Major Ports, the interim relief of Rs. 11.80 per mensem or part thereof granted by Government as recommended by the Wage Board should be taken into account.
- (3) Whether Dearness Allowance (including additional Dearness Allowance and increases in Dearness Allowance from time to time) in part or full should be treated as pay for the purpose of House Rent Allowance and City Compensatory Allowance.

(ii) Details of the parties to the dispute including the names and address of the establishments or undertakings involved :—

- (1) Messrs B. J. Khona & Co., Bazaar Road, Cochin-2
- (2) Messrs K. B. Jacob & Sons, Amaravathy, Cochin-1.
- (3) Messrs P. A. Abdulrahimankutty & Sons, Calvethy, Cochin-1.
- (4) Messrs C V. A. Hydres & Son, Mattancherry, Cochin-2.
- (5) Messrs W H D'Cruz & Sons, Princess Street, Cochin-1.
- (6) Messrs Poovath Paree & Sons, Cochin-1.
- (7) Messrs O. P. Mammoor & Sons, Cochin-2.
- (8) Messrs South India Corporation (Private) Limited, Cochin-3.
- (9) Messrs Paul Abiao & Sons, Cochin-3.
- (10) Messrs Achuthan Pillai & Co., Cochin-3.
- (11) Messrs New Dholeia Shipping & Trading Co., Limited, Cochin-2.
- (12) The Cochin Dock Labour Board, P.O. Box No. 544, Cochin-3.

(iii) Name of the Unions:—

- (1) Cochin Thuramuga Thozhilali Union, Cochin-2.
- (2) Steamer Tally Clerks' Association, Opp: Mattancherry Church, Cochin-2.

(iv) Total number of workmen employed in the undertaking affected :—

1662 as on 1-6-1974 including 160 Class III and IV staff.

(v) Estimated number of workmen affected or likely to be affected by the dispute :—

As in (iv) above as far as the Dock Workers in the Reserve Pool of the Cochin Dock Labour Board and the staff of the Board are concerned.

The arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing.

The previous agreement entered into by us on 16th June, 1973 and published by the Government of India, Ministry of Labour and Rehabilitation (Department of Labour and Employment), in Part II, Section 3, Sub-Section (ii) of the Gazette of India vide their Order No. I. 39013/1/73-P & D (ii) dated 30th July, 1973 to refer the above mentioned industrial dispute to the arbitration of Shri A. T. Zambre, Presiding Officer, Central Government Industrial Tribunal-cum-Labour No. 2, 4th Floor City Ice Building, 298, Bazaar Street, Fort, Bombay is hereby cancelled.

Representing employers

Signature of the parties.

1. K. G. Bhagat.

Sd/-

Representing workmen

1. A. A. Cochunny.

Sd/-

2. R. Gopi.

Sd/-

Witnesses :—

Sd/-

1. C. P. Nair, Deputy Chairman, Cochin Dock Labour Board.

Sd/-

2. K. S. Padamanabhan, Secretary and P. O. Cochin Dock Labour Board, Cochin.

[No. L-39013/1/73-P&D (iii)]

आवेदन

का० आ० १९५७.—यत कलकत्ता पन्न आयुक्तो, कलकत्ता के प्रबन्धसत्र सम्बद्ध नियोजको और उनके संस्कारो के बीच, त्रिनक्ष प्रतिनिधित्व कलकत्ता पन्न श्रमिक यूनियन, 26 डा० सुधीर बसू रोड, कलकत्ता-23 कर्त्ता है, एक औद्योगिक विवाद विद्यमान है;

और यन उक्त नियोजको और उनके संस्कारो ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10क की उपधारा (1) के अधीन एक सिवत करार द्वारा उक्त विवाद को माझ्यस्थम् के लिए निर्देशित करने का कारण भर दिया है और उक्त अधिनियम की धारा 10क की उपधारा (3) के अधीन उक्त माझ्यस्थम् करार की एक प्रति केन्द्रीय सरकार को भजी गई है,

अत, अब, उक्त अधिनियम की धारा 10क की उपधारा (3) के अनुसरण में, केन्द्रीय सरकार उक्त कारण वा एतद्वारा प्रतिनिधित्व करती है।

औद्योगिक विवाद अधिनियम, 1947 की धारा 10क के प्रधीन करार पक्षकारों के नाम

के बीच

नियोजकों का प्रतिनिधित्व करने वाले श्री पी०गो० मिश्र, अध्यक्ष, कलकत्ता पन्न के आयुक्त, 15 स्टैड रोड, कलकत्ता-1

कमंकारों का प्रतिनिधित्व करने वाले श्री माधव चटर्जी महासचिव, कमंकारा पन्न श्रमिक यूनियन, 26, डा० सुधीर बसू रोड, कलकत्ता-23

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri T. S. Sankaran, Joint Secretary, Ministry of Labour, Shram-Shakti Bhavan, Rafi Marg, New Delhi-1 :—

(i) Specific matters in dispute.—In the context of the report of the Central Wage Board for Port and Dock Workers, the decisions of the Government thereon and other related matters, the demands raised by the All India Port and Dock Workers' Federation and the further discussions held on these, the following matters in dispute relating to Port and Dock Workers of the Major Ports are agreed to be referred to arbitration under Section 10A of the Industrial Disputes Act, 1947 for decision on merits :—

- (1) Whereas and if so to what extent the rates for recovery of rent for standard houses proposed by Government, namely, 7-1/2 per cent of basic pay (and not City Compensatory Allowance) where basic pay is less than Rs. 200 per mensem and at the rate of 10 per cent of basic pay (and not City Compensatory Allowance) if it is Rs. 200 per mensem or more, should be reduced taking into account the subsidy element in the Subsidised Industrial Housing Scheme and other relevant factors.
- (2) Whether in the matter of fixation of pay in the revised scales accepted by the Government on the basis of the Central Wage Board Report for Port and Dock Workers at Major Ports, the interim relief of Rs. 11.80 per mensem or part thereof granted by Government as recommended by the Wage Board should be taken into account.
- (3) Whether Dearness Allowance (including additional Dearness Allowance and increases in Dearness Allowance from time to time) in part or full should be treated as pay for the purpose of House Rent Allowance and City Compensatory Allowance.

(ii) Details of the parties to the dispute including the name and addresses of the establishment or undertaking involved :

- (a) Employers in relation to the Commissioners for the Port of Calcutta, 15 Strand Road, Calcutta-1,
and
- (b) Their Workmen represented by the Calcutta Port Shramik Union, 26, Dr. Sudhir Basu Road, Calcutta-23.

(iii) Name of the Union, if any, representing the workmen in question :

The Calcutta Port Shramik Union, 26, Dr. Sudhir Basu Road, Calcutta-23.

(iv) Total number of workmen employed in the undertaking affected :

41,000.

(v) Estimated number of workmen affected or likely to be affected by the dispute :

41,000.

The Arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing.

The previous agreement entered into by us on the 31st July, 1973 and published by the Government of India, Ministry of Labour and Rehabilitation (Department of Labour and Employment) in Part II, Section 3, Sub-section (ii) of the Gazette of India vide their Order No. L-39013/1/73-P&D(ix) dated 28th July, 1973 to refer the above mentioned industrial dispute to the arbitration of Shri A. T. Zambie, Presiding Officer, Central Government Industrial tribunal-cum-Labour

Court No. 2, 4th Floor, City Ice Building, 298 Bazargate Street, Fort Bombay, is hereby cancelled.

Signature of the parties—

Representing employers

Sd/- P. C. Mitra, Chairman,
Commissioners for the Port of
Calcutta.

Representing Workmen

Sd/- Makhan Chatterjee,
General Secretary,

Calcutta Port Shramik Union.

Witnesses—

- (1) Sd/-
- (2) Sd/-

Dated the 12th June, 1974.

[No L-39012/1/73-P&D (i)]

प्रारंभेश

कांग प्रांग 1758—यत् कोचीन पत्तन न्याय, कोचीन के प्रबन्धसत्र से
म्बन्ध नियोजकों और उनक कमवारों के बीच, जिनका प्रनिनिधित्व कोचीन
धुरामूद्धा थोजहिलाली यूनियन और कोचीन पत्तन अमिक यूनियन, कोचीन
कर्त्ता है, एक औद्योगिक विवाद विद्यमान है।

ग्रोर यत् उक्त नियोजकों और उनके कर्मकारा, ने औद्योगिक विवाद
प्रधिनियम, 1947 (1947 का 14) की धारा 10क की उपधारा (4) के
प्रधीन एक नियमित करार द्वारा उक्त विवाद को माध्यस्थम् के लिये
निर्देशित करने का करार कर दिया है ग्रोर उक्त प्रधिनियम की धारा
10 क की उपधारा (3) क प्रधीन माध्यस्थम् करार की एक प्रति कर्त्रीय
मरकार को भेजी है।

प्रथ, अब, उक्त प्रधिनियम, की धारा 10क की उपधारा (3)
के प्रत्युमरण में, केन्द्राय मरकार उक्त करार को एन्डवारा प्रकाशित कर्ती
है।

प्रोलेटिक विवाद प्रधिनियम, 1974, की धारा 10क
के प्रधीन करार

के बीच

नियोजकों का प्रनिनिधित्व करने वाले श्री ए० के० नम्बियर, मा० प्र०
से०, अध्यक्ष, कोचीन पत्तन न्याय,
कोचीन-३

कर्मकारा का प्रनिनिधित्व करने वाले १ श्री ए० ए० काचुनी, मदम्य वि-
धान सभा सचिव, कोचीन धुरामूद्धा
थोजहिलाली यूनियन, कोचीन-३

२ श्री पी० ए० धामग, प्रधान,
कोचीन पत्तन अमिक यूनियन,
कोचीन-३

प्रधकारा के बीच करार किया गया है जि निम्नलिखित औद्योगिक
विवाद को श्री टी० एम० याकरन, मयून सचिव, थग मत्रालय, धग प्रश्न
मंदिर, रफी मार्ग, नई यिल्ली के माध्यस्थम् के लिये निर्देशित किया जाये।

(i) विमिशिट विवादप्रस्त विषय—पत्तन और डाक कर्मकारों के लिए केन्द्रीय मजदूरी बोर्ड की गिरावट, उम पर लिए गए सरकारी निर्णयों और अन्य मंबंधित विषयों, अधिकार भागातीय पत्तन और डाक वर्षकार केउरेशन द्वारा उठाई गई भागी और इन पर आगे किए गए विचार-विषयों के मन्दर्भ में, महा पत्तनों के पत्तन और डाक कर्मकारों से मंबंधित निर्णयित विवाददग्धत विषयों का औद्योगिक विचार अधिनियम, 1947 की धारा 10 के अधीन माधवन्दम् के लिये, गुण-वौय के आधार पर निर्णयार्थ निर्देशित किये जाने का करार दिया गया है :—

- (1) क्या अर्थसाहाय् प्राप्त औद्योगिक आशाम योजना में अर्थसाहाय् के तत्व और अन्य सुवंगत कारणों को ध्यान में रखने हुए मानक मकानों के कियाये की वसूली की सरकार द्वारा प्रस्तावित दरों को, अर्थात्, जहां मूल बेतन 200 रु० प्रतिमाह से कम है, वहां मूल बेतन का (परन्तु नगर प्रतिकर भर्ते का नहीं) 7-½ प्रतिशत और जहां वह 200 रुपये प्रति माह या उससे अधिक है, वहां मूल बेतन (परन्तु नगर प्रतिकर भर्ते का नहीं) का 10 प्रतिशत, घटाया जाना चाहिए और यदि तो, तो किस सीमा तक ?
- (2) क्या मत्त पत्तनों के पत्तन और डाक कर्मकारों के लिए केन्द्रीय मजदूरी बोर्ड के रिपोर्ट के आधार पर सरकार द्वारा स्वीकृत संशोधित बेतनमानों में बेतन के निर्धारण के विषय में मजदूरी बोर्ड की सिफारिश के अनुसार गवर्नर द्वारा मंजूर की गई 11.80 रुपये प्रति माह की अन्तर्गत महायता या उसके भाग को ध्यान में रखा जाना चाहिए ?
- (3) क्या मकान किराया बन्ते और नगर प्रतिकर भर्ते के प्रयोजन के लिये, महगाई भर्ते (प्रतिरक्त महगाई भर्ते और समय-समय पर महगाई भर्ते में की गई वृद्धियों सहित) को अन्तर्गत या पूर्ण बेतन के रूप में माना जाना चाहिए ?

(ii) विवाद के पक्षकारों का कोचीन पत्तन न्यास, कोचीन-5.

त्रिवरण, जिसमें अन्तर्गत स्थापनों या

उपकरणों के नाम और पते भी मन्मिलित है।

- (iii) यूनियनों के नाम . 1. कोचीन धरामुका थोजिलाली यूनियन कोचीन-2 ।
2. कोचीन पत्तन अमिक यूनियन, कोचीन-3।

(iv) प्रभावित उपकरण में नियोजित लगभग छ. हजार कर्मकारों की कुल संख्या

(v) विवाद द्वारा प्रभावित या लगभग छ. हजार मंभाव्या: प्रभावित होने वाले कर्मकारों की प्राक्कलिन संख्या

मध्यस्थ अपना पंचाट तीन मास की अवधि या इन्हें और समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा बढ़ाया जाएगा।

उपर्युक्त औद्योगिक विवाद को श्री ए.टी. जाम्बे, पीठासीन अधिकारी, केन्द्रीय सरकार औद्योगिक अधिकरण-एक्स-अम न्यायालय संख्या 2, चौधी मंजिल, मिट्टी भाईस बिल्डिंग, 298, आजार गेट स्ट्रीट, फोर्ट, बम्बई को निर्देशित करने मंबंधी पिछला कागार, जो इन्हें 16 जुलाई, 1973 को किया था और जिसे भारत सरकार के अग्र और पुनर्वाग मंद्रालय (अम और

रोजगार विभाग) ने इसपर आदेश संख्या ए.ल-390 13/1/73-पी० ए४ डी० (xi) तारीख पहली अगस्त, 1973 के रूप में भारत के राजपत्र, भाग 2, लेण्ड 3, उप-खण्ड (ii) में प्रकाशित किया था, एतद्वारा रद्द किया जाता है।

पक्षकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले ह०/- अपाद्य, अध्यक्ष 11-०-७-१ । कोचीन पत्तन न्यास ।

कर्मकारों का प्रतिनिधित्व करने वाले 1. ह०/- अपाद्य, ए० ए० कोचुन्नी, मचिव, कोचीन धरामुका थोजिलाली यूनियन, कोचीन-2 ।

2. ह०/- अपाद्य, पी० ए० धामम, प्रधान, कोचीन पत्तन अमिक यूनियन, कोचीन-3 ।

साक्षी :

1. अपाद्य

2. ह०/- अपाद्य, उप सचिव, कोचीन पत्तन न्यास

[संख्या ए.ल-390 13/1/73-पी० ए४ डी० (ii)]

ORDER

S.O. 1758.—Whereas an industrial dispute exists between the employers in relation to the management of Cochin Port Trust, Cochin and their workmen as represented by Cochin Thuramugha Thezhilali Union, and Cochin Port Workers Union, Cochin ;

And, WHEREAS, the said employers and their workmen have by a written agreement under sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government under sub-section (3) of section 10A of the said Act, a copy of the said arbitration agreement ;

NOW, THEREFORE, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement.

AGREEMENT UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947

BETWEEN

Representing Employers : 1. Sri A.K.K. Nambiar. I.A.S. CHAIRMAN
Cochin Port Trust, Cochin-3.

Representative workmen : 1. Sri A.A. Kochunny MLA SECRETARY
Cochin Thuramugha Thozhilali Union, Cochin-2.

2. Sri P. F. Thomas,
PRESIDENT,
Cochin Port Workers Union,
Cochin-3.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri T. S. Sankaran, Joint Secretary, Ministry of Labour, Shram Shakti Bhavan, Rafi Marg, New Delhi

(i) Specific matters in dispute—In the context of report of the Central Wage Board for Port and Dock Workers, the decisions of the Government thereon, and other related matters, the demands raised by the All India Port and Dock Workers' Federation and the further discussions held on these, the following matters in dispute relating to Port and Dock Workers of the Major Ports, are agreed to be referred to arbitration under Section 10A of the Industrial Disputes Act, 1947, for decision on merits :—

- (1) Whether, and, if so, to what extent the rates for recovery of rent for standard houses proposed by Government, namely, 7 1/2 of basic pay (and not City Compensatory allowance), where basic pay is less than Rs. 200 per mensem, and at the rate of 10 per cent of basic pay (and not City Compensatory Allowance), if it is Rs. 200 per mensem or more, should be reduced taking into account the subsidy element in the Subsidised Industrial Housing scheme and other relevant factors.
- (2) Whether in the matter of fixation of pay in the revised scales accepted by the government on the basis of the Central Wage Board Report for Port and Dock Workers at Major Ports, the interim Relief of Rs. 11.80 per mensem or part thereof granted by Government as recommended by the Wage Board should be taken into account.
- (3) Whether Dearness Allowance (including additional Dearness Allowance and increases in Dearness Allowance from time to time) in part or full should be treated as pay for the purpose of House Rent Allowance and City Compensatory Allowance.

(ii) Details of parties to the dispute including the names and addresses of the establishments or undertaking involved.

COCHIN PORT TRUST, COCHIN-3

(iii) Name of the Union : 1. COCHIN THURAMUGHA THOZHILALI UNION, COCHIN-2.

(2) COCHIN PORT WORKERS UNION, COCHIN-3

(iv) Total number of workmen employed in the undertaking affected .—

SIX THOUSAND APPROXIMATELY.

(v) Estimated number of workmen affected or likely to be affected by the dispute :

Six thousand approximately.

The arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing.

The previous agreement entered into by us on 16-7-73 and published by the Government of India, Ministry of Labour and Rehabilitation (Department of Labour and Employment) in Part II, Section 3, sub-section (ii) of the Gazette of India Vide their Order No L-39013/1/73-P&D(x) dated 1st August 1973 to refer the above mentioned industrial dispute to the arbitration of Shri A. T. Zambre, Presid-

ing Officer, Central Government Industrial Tribunal-cum-Labour Court No 2, 4th Floor, City Ice Building, 298, Bazaar gate Street, Fort, Bombay is hereby cancelled.

SIGNATURE OF THE PARTIES

Sd/-

CHAIRMAN

Representing Employers : Cochin Port Trust

Representing workmen : A. A. Kochunny Secretary, Cochin Thuramugha Thozhilal Union, Cochin-2.
Sri P. F. Thomas, President

Cochin Port Workers Union, Cochin-3

Witnesses

1. Sd/- N. A. HAMZA
2. Sd/- Illegible

[No. L-39013/1/73-P&D(ii)]

Sd/-
O. P. TALWAR, Dy. Secy.

प्राप्त राह

नई दिल्ली, 1 जुलाई 1971

का० आ० १७५०—यत बम्बई पत्तन न्याय, बम्बई के प्रबन्धतत्र मे सम्बद्ध नियोजको और उनके कर्मकारो के बीच, जिनका प्रतिनिधित्व बम्बई पत्तन न्याय सामान्य मजदूर यूनियन, बम्बई करती है, एक श्रीधोरिक विवाद विद्यमान है,

श्री यत उक्त नियोजको और उनके कर्मकारो ने श्रीधोरिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के अधीन एक नियित करार द्वारा उक्त विवाद को माध्यस्थम के लिए निर्देशित करने का करार कर दिया है और उक्त अधिनियम की धारा 10 की उपधारा (3) के अधीन उक्त माध्यस्थम करार की एक प्रति केन्द्रीय मरकार का भेजी है,

अत, अब, उक्त अधिनियम, की धारा 10 की उप धारा (3) के अनुसार मे, केन्द्रीय सकार उक्त करार को एतद्वारा प्रकाशित करती है।

श्रीधोरिक विवाद अधिनियम, 1947 की धारा 10 के अधीन करार

नियोजको का प्रतिनिधित्व करने वाले बम्बई पत्तन न्याय, बम्बई।
कर्मकारो का प्रतिनिधित्व करने वाले बम्बई पत्तन न्याय सामान्य श्रमिक यूनियन, बम्बई।

पक्षकारो के द्वारा करार दिया गया है कि नियमिति श्रीधोरिक विवाद को श्री दी० ए० शक्तन, संयुक्त सचिव, श्रम सत्रालय, श्रम शक्तन, रक्षी मार्ग, नई दिल्ली के माध्यस्थम मे लिए निर्देशित दिया जाए।

(i) विनिदिष्ट विवादस्थ विधा श्री डाक कर्मकारो के लिए केन्द्रीय मजदूरी और बी रिपोर्ट उम० १ र लिए गए सरकारी निर्णयों और अत्य सम्बन्धित विधयों, श्रीधोरिक विवाद करार कर्मकारो के लिए केन्द्रीय मजदूरी और बी रिपोर्ट उम० १ र लिए गए विचार-विर्यो के सन्वर्धन मे, महा पत्तनो के पत्तन श्री डाक कर्मकारो से सम्बन्धित नियमिति श्रीधोरिक विवाद अधिनियम, 1947

की धारा 10क के अधीन माध्यमिक के निये, गुणदोष के आधार पर निर्णयार्थ निर्देशित किए जाने का कारण किया गया है—

(1) क्या अर्थमाहात्म्य प्राप्त और्योगिक आवाग योजना में अर्थमाहात्म्य के तत्व और अन्य सुसंगत कारणों को ध्यान में रखते हुए मानक मानों के किनारे की वस्तु की सरकार द्वारा प्रस्तुति दरों को, अर्थात् ज्ञान मूल वेतन 200 रुपये प्रतिमाह से कम है वहां मूल वेतन का (परस्तु नगर प्रतिकर भने का नहीं) 7-1/2 प्रतिशत और जहां वह 200 रुपये प्रतिमाह या उससे अधिक है, वहां मूल वेतन (परस्तु नगर प्रतिकर भने का नहीं) का 10 प्रतिशत, घटाया जाना चाहिए और यहां हो किम सीमा तक?

(2) क्या महा पलनों के पलन और डाक कर्मकारों के लिये केंद्रीय मजदूरी बोर्ड की विधों के आधार पर सरकार द्वारा स्वीकृत गंशोधित देवतनमानों में देवतन के निर्धारण के विषय में मजदूरी बोर्ड की निकारिश के अनुसार सरकार द्वारा मजदूरी गई 11.80 रुपये प्रति महा माह की अन्तर्मित सहायता या उसके भाग को ध्यान में रखा जाना चाहिए?

(3) क्या मानक कियाया भने और नगर प्रतिकर भने के प्रयोजन के लिये, महगाई (अनिवार्य महगाई भने और समय-समय पर महगाई भने में की गई वृद्धियों सहित) का अंशन या पूर्णता देवतन के काफ में माना जाना चाहिए?

(ii) विवाद के पक्षकारों के विवरण, जिनमें ग्रन्त न्यायपत्रों या उपनियोगों के तात्त्व और पैसे सी मम्मलित है—

(1) बम्बई पलन न्याय,
पूर्जोदल्लभास मार्ग,
फोर्ट,
बम्बई-400038

(2) बम्बई पलन न्याय सामान्य अमिक मूलियन,
कावागाना विल्डग, पी० शी०, मेल्डो रोड,
बम्बई-400009,

(iii) संघ का नाम : बम्बई पलन न्याय सामान्य अमिक मूलियन, बम्बई।

(iv) प्रभावित उपकरण में नियोग- 29,800 (लग भग)

जित कर्मकारों की कुल संख्या :

(v) विवाद से प्रभावित या 29,800

सभाव्यस्थ प्रभावित

कर्मकारों की अन्तमानित संख्या . 29,800

मध्यमिक अपना पंचाट तीन मास की अवधि या इन्हें और समय के भीतर जो हमारे बीच पारम्परिक नियित करार द्वारा घटाया जाये, देता।

उत्तर्युक्त और्योगिक विवाद को श्री प० शी० जाम्बे पीटामीन अधिकारी, केंद्रीय सरकार और्योगिक अधिकरण-ग्रन्त-श्रम न्यायाद्य संख्या 2, चौथी मंगिल, सिटी आईस विल्डग, 298, बाजारगेट, फोर्ट, बम्बई को निर्देशित करने सम्बन्धी पिछला करार, जो 20 जून, 1973 को विया था और जिसे भारत सरकार के श्रम और पुनर्वास मन्त्रालय (श्रम और गोपनीय विभाग) ने अपने आदेश संख्या एल-39013/1/73 पी० ग्राह्य दी० (v) तारीख 11 जूनाई, 1973 के रूप में भारत के राजपत्र, भग 2, खण्ड 3, उपखण्ड (ii) दिनांक 21 जूनाई, 1973 में प्रकाशित किया था, एन्डवार रुप लिया जाता है।

दिनांक जून, 1974 का 14वा दिन

पक्षकारों के दस्तावेज

नियोजवाना का प्रतिनिधित्व करने वाले ह०- अपाठ्य, मचिव, बम्बई पलन न्याय, बम्बई।

कर्मकारों का प्रतिनिधित्व करने वाले ह०- अपाठ्य, महामचिव, बम्बई पलन न्याय सामान्य अमिक मूलियन बम्बई।

माल्की :

1. ह०- अपाठ्य

2. ह०- (प० शी० नायक)

[संख्या एल-39013/1/73-पी० ग्राह्य दी०/एल० आर० III(iii)]

ORDER

New Delhi, the 1st July, 1974

S.O. 1759.—Whereas an industrial dispute exists between the employers in relation to the management of Bombay Port Trust, Bombay and their workmen as represented by Bombay Port Trust General Workers' Union, Bombay.

AND, WHEREAS, the said employers and their workmen have by a written agreement under sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government, under sub-section (3) of section 10A of the said Act, a copy of the said arbitration agreement :

NOW, THEREFORE, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement.

AGREEMENT UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947.

BETWEEN

Representing employers : BOMBAY PORT TRUST BOMBAY.

Representing Workmen : B. P. T. General Workers' Union, Bombay.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri T. S. Sankaran, Joint Secretary, Ministry of Labour, Shram-Shakti Bhawan, Rafi Margh, New Delhi.

(i) Specific matters in dispute.—In the context of the report of the Central Wage Board for Port and Dock Workers, the decisions of the Government thereon, and other related matters, the demand raised by the All India Port and Dock Workers' Federation and the further discussions held on these, the following matters in dispute relating to Port and Dock Workers of the Major Ports are agreed to be referred to arbitration under Section 10A of the Industrial Disputes Act, 1947, for decision on merits :—

(1) Whether, and, if so, to what extent, the rates for recovery of rent for standard houses proposed by Government, namely, 7-1/2 per cent of basic pay (and not City Compensatory allowance), where

basic pay is less than Rs. 200 mensem, and at the rate of 10 per cent of basic pay (and not City Compensatory Allowance), if it is Rs. 200 per mensem or more, should be reduced taking into account the subsidy element in the Subsidised Industrial Housing Scheme and other relevant factors.

(2) Whether in the matter of fixation of pay in the revised scales accepted by the Government on the basis of the Central Wage Board Report for Port and Dock Workers at Major Ports, the Interim Relief of Rs. 11.80 per mensem or part thereof granted by Government as recommended by the Wage Board should be taken into account.

(3) Whether Dearness Allowance (including additional Dearness Allowance and increases in Dearness Allowance from time to time) in part or full should be treated as pay for the purpose of House Rent Allowance and City Compensatory Allowance.

(ii) Details of parties to the dispute including the names and addresses of the establishments or undertakings involved :—

(1) Bombay Port Trust

Shoorji Vallabhdas Marg, Fort,
Bombay-400 038.

(2) B.P.T. General Workers' Union,
Kavarana Building, P.D'Melle Road,
Bombay-400 009.

(iii) Name of the Union : B.P.T. General Workers' Union, Bombay.

(iv) Total number of workmen employed in the undertaking affected—29,800 (Approximately).

(v) Estimated number of workmen affected or likely to be affected by the dispute—29,800.

The arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing.

The previous agreement entered into by us on 20th June 1973 and published by the Government of India, Ministry of Labour and Rehabilitation (Department of Labour and Employment) in part II, Section 3, sub-section (ii) of the Gazette of India dated 21st July 1973 vide their Order No. L-39013/1/73-P&D(V) dated the 11th July 1973 to refer the above mentioned industrial dispute to the arbitration of Shri A. T. Zambre, Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court No. 2, 4th Floor, City Ice Building, 298, Bazaar Street, Fort, Bombay, is hereby cancelled.

Dated the 14th day of June 1974.

Signature of the Parties

Sd/- Illegible.

Representing Employers : Secretary
Bombay Port Trust, Bombay,
Sd/- Illegible

Representing workmen : General Secretary,
B.P.T. General Workers' Union
Bombay.

Witness : 1. Sd/- Illegible.
2. Sd/- Illegible.

[No. L-39013/1/73-P&D/LR-III(iii)]

का० अ० १७६०—यत् अम्बर्ड स्ट्रिविडेर्म ऐसेमिएसन निमित्ते, अम्बर्ड के प्रबन्धन द्वारा मे० सबूत नियोजकों और उनके कर्मकारों, जिनका प्राधनिक्य परिवर्तन और इक श्रमिक युनियन, अम्बर्ड करनी है, के बीच एक औद्योगिक विवाद शिद्यमान है ;

और, यत् उक्त नियोजकों और उक्त युनियन ने औद्योगिक विवाद शिद्यम, 1947 (पृष्ठ 1947 का 14) की धारा 10 की उपधारा (1) के उपबन्धों के अनुसारण मे० एक नियित कार द्वारा उक्त विवाद को उस मे० शिद्यन व्यक्ति के माध्यस्थम के लिये निर्देशित करने का कारकर कर लिया है और उक्त माध्यस्थम करार की एक प्रति केन्द्रीय सरकार की भेजी है, और वह, उक्त धारा की उपधारा (3) के प्रधीन, भारत सरकार के श्रम मंत्रालय के आदेश सभ्या एल-39013/1/73-पी० ए० दी० (v), सारीब 1 जलाई 1974 मे०, भारत के गजपत्र, तारीख 13 जूनाई, 1974 के भाग 2, खंड 3, उपक्रम (II) मे० प्रकाशित हो चुका है,

और यत्, केन्द्रीय सरकार का समाधान हो गया है कि उक्त नियेश करने शामि व्यक्ति पक्षकार के बहुमत का प्रतिनिधित्व करते हैं ;

अतः अब, औद्योगिक विवाद (केन्द्रीय नियम), 1957 के नियम, 8के माथ पटित उक्त धारा की उपधारा (3क) के उपबन्धों के अनुसारण मे०, केन्द्रीय सरकार एकद्वारा उक्त नियोजकों और कर्मकारों, जो उक्त माध्यस्थम करार मे० पक्षकार नहीं हैं, किन्तु जो उक्त विवाद मे० संबंधित हैं, की जानकारी के लिये अधिसूचित करनी है कि उक्त नियेश करने वाले व्यक्ति प्रत्येक पक्ष के बहुमत का प्रतिनिधित्व करते थे ।

[मंस्या एल-39013/1/73-पी० ए० दी०/एल-आर-III(VII)]

ORDER

S.O. 1760.—Whereas an industrial dispute exists between the employers in relation to the management of Bombay Stevedores' Association Limited, Bombay and their workmen as represented by Transport and Dock Workers' Union, Bombay ;

And, whereas, the said employers and the said union have, by a written agreement in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration of the person mentioned therein, and a copy of the said arbitration agreement has been forwarded to the Central Government and the same has been published, under the provisions of sub-section (3) of the said section with the order of the Government of India in the Ministry of Labour No. L-39013/1/73-P&D (V) dated the 1st July, 1974 published in Part II, Section 3, sub-section (ii) of the Gazette of India, dated the 13th July, 1974;

And, whereas, the Central Government is satisfied that the persons making the said reference represent the majority of the party ;

Now, therefore, in pursuance of the provisions of sub-section (3A) of the said section, read with rule 8A of the Industrial Disputes (Central Rules), 1957, the Central Government hereby notifies for the information of the employers and workmen who are not parties to the said arbitration agreement but who are concerned with the said dispute that the persons making the said reference represented the majority of each party.

[No. L-39013/1/73-P&D LR-III (vii)]

आवेदा

कां ४१० १७६१.—यह चिपिंग एण्ड पेटिंग गेस्पलायर्स एसामियेशन प्राइवेट लिमिटेड, बम्बई के प्रबन्धनस्थ में संबंध नियोजको और उनके कर्मकारों के बीच, जिनका प्रतिनिधित्व परिवहन और डाक श्रमिक संघ, पी० डी० मेल्लो भवन, बम्बई भरता है, एक श्रौद्धोगिक विवाद विद्यमान है;

ओर उक्त नियोजको और उनके कर्मकारों ने श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10क की उपधारा (1) के अधीन एक निविन करार द्वारा उक्त विवाद के माध्यस्थम् के लिये निर्देशित करने का करार कर लिया है और, उक्त अधिनियम की धारा 10क की उपधारा (3) के अधीन उक्त माध्यस्थम् की करार की प्रति केन्द्रीय सरकार को भेजी है;

अत, अब उक्त अधिनियम की धारा 10क की उपधारा (3) के अनुसरण में, केन्द्रीय सरकार उक्त करार को, एन्ड द्वारा प्रवाशित कर्त्ता है।

श्रौद्धोगिक विवाद अधिनियम, 1947 की धारा 14क के अधीन

करार के बीच।

नियोजको का प्रतिनिधित्व करने वाले चिपिंग एण्ड पेटिंग गेस्पलायर्स एसामियेशन प्राइवेट लिमिटेड, बम्बई।

कर्मकारों का प्रतिनिधित्व करने वाले : परियहन और डाक श्रमिक संघ, पी० डी० मेल्लो भवन, बम्बई-१।

पक्षकारों के बीच करार किया गया है कि निम्नलिखित श्रौद्धोगिक विवाद को श्री टी०ए० शकरन, सयुक्त मंचित्र, श्रम मंत्रालय, श्रम शिक्षण भवन, रफी मार्ग, नई दिल्ली, के माध्यस्थम् के लिये निर्देशित किया जाये।

(I) विनिविष्ट विवाद ग्रस्त विषय. पन्न और डाक कर्मकारों के लिये केन्द्रीय मजदूरी बोर्ड की रिपोर्ट, उम पर लिये गए, सरकारी निर्णयों और अन्य सर्वधित विषयों, अखिल भारतीय पन्न और डाक कर्मकार केंद्रेशन द्वारा उठाई गई मांगों और उन पर आगे किया गया विचार-विषयों के सदर्भ में, महापालनों के पन्न और डाक कर्मकारों में सर्वधित निम्नलिखित विवादग्रस्त विषयों को श्रौद्धोगिक विवाद अधिनियम, 1947 की धारा 10क के अधीन माध्यस्थम् के लिये, गुण-दोष के आधार पर निर्णयार्थ निर्देशित किए जाने का करार किया गया है।—

(1) क्या अधिनाशाल्य प्राप्त श्रौद्धोगिक प्रावास योजना में अर्थगाहाल्य के तत्व और अन्य सुनन कारणों को व्यान में स्थान द्वारा मानक मानकों के किराये की क्षमता की सरकार द्वारा प्रस्तावित दरों को, अर्थात् जहा मूल वेतन 200 रुपये प्रतिमाह में से कम है वहां मूल वेतन का (परन्तु नगर प्रतिकर भने का नहीं) 7½ प्रतिशत और जहां वह 200 % प्रतिमाह या उसमें अधिक है, वहां मूल वेतन (परन्तु नगर प्रतिकर भने का नहीं) या 10 प्रतिशत घटाया जाना चाहिये और यदि नहीं, तो किस सीमा तक?

(2) क्या महा पन्नों के पन्न और डाक कर्मकारों के लिये केन्द्रीय मजदूरी बोर्ड की रिपोर्ट के आधार पर सरकार द्वारा स्वीकृत मंषोधित वेतनमानों से वेतन के निर्धारण के विषय में मजदूरी

बोर्ड को निकाशित के अनुसार सरकार द्वारा मजूरी की गई 11 80 रु० प्रति माह की अन्तरिम मद्दता या उसके भाग को व्यान में रखा जाना चाहिये?

(3) क्या सरकार किया भत्ते और नगर प्रतिकर भने के प्रयाजन के लिये, महाराई भने (अतिरिक्त महाराई भने गौर गमग-ममय पर महाराई भने में की गई दृष्टियों सहित) का अन्त या पूर्ण वेतन के रूप में माना जाना चाहिये?

(II) विवाद के पक्षकारों का विवरण, जिसमें ग्रन्त स्थापना या उपकरणों के नाम और भने भी सम्मिलित हैं:

(1) चिपिंग एण्ड पेटिंग गेस्पलायर्स एसामियेशन प्राइवेट लिं०, तीमर्ग मन्जिल, जन्म भूमि चैम्बरस्, बालचंद्र हीराचंद्र मार्ग, बम्बई।

(III) सघ का नाम : परिवहन और डाक श्रमिक संघ, पी० डी० मेल्लो भवन, पी० डी० मेल्लो रोड, कार्नाक बन्दर, बम्बई।

(IV) प्रभावित उपकरण में नियोजित

कर्मकारों की कुल संख्या ग्रन्तभग 1,000

(5) विवाद द्वारा प्रभावित या संभाध्यत प्रभावित कर्मकारों की अनुमानित संख्या : ग्रन्तभग 1,000

माध्यस्थ अपना पंचाट तीन मास की अवधि या इनसे और समय के भीतर जो हमारे बीच पारम्परिक निविन करार द्वारा बढ़ाया जाये, देगा।

उपर्युक्त श्रौद्धोगिक विवाद को श्री ए० टी० जाम्बे, पीठारीन अधिकारी, केन्द्रीय मजदूरी श्रौद्धोगिक अधिकारण-एवं-अधिकारण नियालय सद्या 2, जौधी मंजिल, मिट्टी आईस विल्डिंग, 208 बाजार रोट, फोर्ट, बम्बई को निर्देशित करने सक्षमी पिल्ला करार, जो इनसे 20 जून, 1973 को किया था और जिसे भारत सरकार के अम प्रूतर्थमि भवालय (भ्रम प्रौद्योगिकी नियालय) ने प्राप्त अधिकारण एन-39013/1/73-पी०ए० डी० (V) तारीख 11 जुलाई, 1973 के रूप में भारत के तारीख 21 जुलाई, 1973 के गजपत्र भाग 2, खंड 3, उपचूप (ii) में प्रकाशित किया था, एवं द्वारा रद्द किया जाता है।

तारीख जून, 1974 वा 14वा दिन

पक्षकारों के हम्नाक्षर :

नियोजको का प्रतिनिधित्व रखने वाले कुले दि चिपिंग एण्ड पेटिंग गेस्पलायर्स एसामियेशन प्राइवेट लिं०,

६०—प्राग्नाम चैयरमैन

कर्मकारों का प्रतिनिधित्व रखने वाले न०—अग्रप्र मंचित्र परिवहन और डाक श्रमिक सघ, बम्बई साक्षी

(1) रु०/- अपार्टमेंट

(2) रु०/-अपार्टमेंट

[मुक्त एन-39013/1/73-पी०ए० डी०/एन० ग्राम-III(vi)]

ORDER

S.O. 1761.—Whereas an industrial dispute exists between the employers in relation to the management of Chipping and Painting Employers' Association Private Limited, Bombay and their workmen as represented by Transport and Dock Workers' Union P. D'Mello Bhavan, Bombay.

And, whereas, the said employers and their workmen have by a written agreement under sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government, under sub-section (3) of section 10A of the said Act, a copy of the said arbitration agreement.

Now, therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement.

*AGREEMENT UNDER SECTION 10A OF THE
INDUSTRIAL DISPUTES ACT, 1947*

BETWEEN

Representing Employers : Chipping & Painting Employers' Association Pvt. Ltd., Bombay.

Representing Workmen : Transport & Dock Workers' Union, P. D'Mello Bhavan, Bombay-1.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri T. S. Sankaran Joint Secretary, Ministry of Labour, Shiam Shakti Bhavan, Rafi Marg, New Delhi.

(i) **Specific matters in dispute.**—In the context of report of the Central Wage Board for Port and Dock Workers, the decisions of the Government thereon, and other related matters, the demands raised by the All India Port and Dock Workers' Federation and the further discussions held on these, the following matters in dispute relating to Port and Dock Workers of the Major Ports are agreed to be referred to arbitration under Section 10A of the Industrial Disputes Act, 1947, for decision on merits :—

(1) Whether, and, if so to what extent, the rates for recovery of rent for standard houses proposed by Government, namely, 7½ percent of basic pay (and not City Compensatory Allowance where basic pay is less than Rs. 200/- per mansum and at the rate of 10 per cent of basic pay (and not City Compensatory Allowance), if it is Rs. 200/- per mansum or more, should be reduced taking into account the subsidy element in the Subsidised Industrial Housing Scheme and other relevant factors.

(2) Whether in the matter of fixation of pay in the revised scales accepted by the government on the basis of the Central Wage Board Report for Port and Dock Workers at Major Ports, the interim relief of Rs. 11.80 Per Mansum or part thereof granted by government as recommended by the Wage Board should be taken into account.

(3) Whether Dearness Allowance (including additional Dearness Allowance and increases in Dearness Allowance from time to time) in part or full should be treated as pay for the purpose of House Rent Allowance and City Compensatory Allowance.

(ii) Details of parties to the dispute including the names and addresses of the establishments or undertakings involved :

(1) Chipping & Painting Employers' Association Private Ltd., 3rd floor, Janmabhoomi Chambers, Walchand Hirachand Marg, Bombay-1.

(iii) Name of the Union : Transport & Dock Workers' Union P. D'Mello Bhavan, P. D'Mello Road, Carnac Bunder, Bombay-1.

(iv) Total number of workmen employed in the undertaking affected : Approximately 1,000.

(v) Estimated number of workmen affected or likely to be affected by the dispute : Approximately 1,000.

The arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing.

The previous agreement entered into by us on 20th June, 1973 and published by the Government of India, Ministry of Labour and Rehabilitation (Department of Labour and Employment) in part II, Section 3, sub-section (ii) of the Gazette of India dated 21st July 1973 *vide* their Order No. L-39013/1/73-P&D(V) dated 11th July 1973 to refer the above mentioned industrial dispute to the arbitration of Shri A. J. Zambre, Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court No. 2, 4th Floor, City Ice Building, 298, Bazargate Street, Fort, Bombay, is hereby cancelled.

Dated the 14th day of June, 1974.

Signature of the Parties.

Representing employers :

Sd/- Illegible.

Chairman,
For the Chipping and Painting
Employers' Association Private
Limited.

Representing workmen :

Sd/- Illegible.

Secretary,
Transport & Dock
Workers' Union, Bombay.

Witness :—

1. Sd/- Illegible.

2. Sd/- Illegible.

[No. 39013/1/73-P&D LR-III(vi)]

धावेश

का० आ० 1762. यस सम्बई पट्टिकांडेर्स एमोसियेशन लिमिटेड, बम्बई के प्रवन्धनमन्त्र से सबद्ध नियाजकों और उनके कर्मकारों के बीच, जिनका प्रतिनिधित्व परिवहन और डाक श्रमिक संघ, बम्बई करता है, एक और्ध्वांगिक विवाद विद्यमान है :

और यह: उक्त नियोजकों और उनके कर्मकारों ने और्ध्वांगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10क की उपधारा (1) के अधीन एक निवित करार द्वारा उक्त विवाद को माध्यस्थम के लिये निर्देशित वर्तने का करार कर लिया है और उक्त अधिनियम की धारा 10क की उपधारा (3) के प्रधीन माध्यस्थम करार की एक प्रति केन्द्रीय सरकार को मेजी है;

यह अब, उक्त अधिनियम की धारा 10क की उपधारा (2) के अनुसार में केन्द्रीय सरकार उक्त करार को गतवृद्धारा प्रकाशित करती है।

ओशोगिक विवाद अधिनियम, 1947 की

धारा 10 के अधीन करार।

के बीच

नियोजकों का प्रतिनिधित्व करने वाले।

1. बम्बई स्टीविडासं प्रेस-
सियेण्ट लि०, बम्बई १

कर्मकारों का प्रतिनिधित्व करने वाले।

परिवहन और डाक अधिक
संघ, बम्बई।

प्रत्यकारों के बीच करार किया गया है कि निम्नलिखित ओशोगिक विवाद का श्री ई० एग० शक्तरन, संयुक्त सचिव, अम मतालय, थम० प्राक्तिक भवन, ग्री मार्ग, नई दिल्ली के माध्यस्थम् के लिये निर्देशित किया जाए।

(i) विनिर्विष्ट विवादग्रस्त विषय। पतन और डाक कर्मकारों के लिये केन्द्रीय मजदूरी बोर्ड की रिपोर्ट, उस पर लिये गये मानकों निर्णयों और अन्य मवधित विषयों, अधिक भागीय पतन और डाक कर्मकार के फैलेरेण्ट द्वारा उठाई गई मार्गों और उत्त पर आगे किए गए विचार-विमर्श के सदर्भ में, महापालनों के पतन और डाक कर्मकारों में संबंधित निम्नलिखित विवादग्रस्त विषयों को ओशोगिक विवाद अधिनियम, 1947 की धारा 10के अधीन माध्यस्थम् के लिये, गुण-दोष के आधार पर निर्णयार्थ निर्देशित किये जाने का करार किया गया है।

(1) क्या अर्थमाही के तत्व और अन्य गुम्बात रागों का ध्यान में रखने हुए मानक मकानों के लिये केन्द्रीय मजदूरी बोर्ड की रिपोर्ट के आधार पर रागकार द्वारा स्वीकृत संशोधित वेतनमानों में वेतन के निर्धारण के विषय में मजदूरी बोर्ड की सिफारिश के अनुसार रागकार द्वारा मजूर की गई 11.80 प्रति माह की अन्तर्गम महायता या उसके भाग का ध्यान में रखा जाना चाहिये?

(2) क्या मानक पतनों के पतन और डाक कर्मकारों के लिये केन्द्रीय मजदूरी बोर्ड की रिपोर्ट के आधार पर रागकार द्वारा स्वीकृत संशोधित वेतनमानों में वेतन के निर्धारण के विषय में मजदूरी बोर्ड की सिफारिश के अनुसार रागकार द्वारा मजूर की गई 11.80 प्रति माह की अन्तर्गम महायता या उसके भाग का ध्यान में रखा जाना चाहिये?

(3) क्या मकान किराया भत्ते और नगर प्रतिकर भत्ते के प्रयोजन के लिये, महगाई भत्ते (अतिरिक्त महगाई भत्ते ग्री मानक समय पर महगाई भत्ते में की गई वृद्धियों सहित) को अशत या पूर्ण वेतन के रूप में माना जाना चाहिये?

(ii) विवाद के पक्षवारों का विवरण, जिसमें प्रस्तुत स्थानों या उप-क्रमों के नाम और पत भी सम्मिलित हैं।

(1) बम्बई स्टीविडासं प्रेस-सियेण्ट निर्मिटेशं,
जम्भूमि चैम्बर्स,
फार्ट स्ट्रीट,
बम्बई।

(ii) संघ का नाम परिवहन और डाक अधिक संघ।

पी० डी० मेल्लो भवन

पी० डी० मेल्लो राष्ट्र, कलकी बन्दर, बम्बई।

(iv) प्रभावित उपक्रम में नियोजित कर्मकारी लगभग 8,000 की कुल मण्डा।

(v) विवाद से प्रभावित या सम्भाव्य।

प्रभावित कर्मकारों की अनु-

मानित मण्डा।

लगभग 5,000

मध्यरथ अपना पचाट तीन मास वा अवधि या हनते और समय के भीतर जो हमार भीष पारम्परिक सिविल करार द्वारा बद्या जाये, देगा।

उपर्युक्त ओशोगिक विवाद को श्री ई० टी० जास्ट्रे, पीटासीन अधिकारी, केन्द्रीय मरकार ओशोगिक अधिकरण-अम न्यायालय सल्या २, और्धी मजिल, मिटी आईस विल्डिंग, २९८, बाजारगेट फार्ट, बम्बई को निर्देशित करने मवधी पिछला करार, जो हमने २० जून, १९७३ को किया था और श्रीम भारत भरकार के अम और पुनर्वास मन्त्रालय (अम और राजवार विभाग) ने अपन श्रादेण मण्डा एल-३९०१३/१/७ अप्र०७८ डी० (५) तारीख ११ जुलाई, १९७३ के रूप में मानन के दिनाक २१ जुलाई, १९७३ के राजपत्र, भाग २, खंड ३, उपक्रम (ii) में प्रकाशित किया था, एतद्वारा रद्द किया जाता है।

तारीख जून, १९७४ का १५वा दिन।

पक्षवारों वे हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले

हुने रागविडोंसं प्रेस-सियेण्ट लि०

४०/-प्रपाठ्य
सचिव

कर्मकारों का प्रतिनिधित्व करने वाले

४०/-प्रपाठ्य
सचिव

परिवहन और डाक अधिक संघ, बम्बई।

साक्षी

(1) ४०/-प्रपाठ्य

(2) ४०/-प्रपाठ्य

[मण्डा एल-३९०१३/१/७ अप्र०७८ डी०/७८ अग्र० III (5)]

ORDER

S.O. 1762.—Whereas an industrial dispute exists between the employers in relation to the management of Bombay Stevedores' Association Limited, Bombay and their workmen as represented by Transport and Dock Workers' Union, Bombay;

And, whereas, the said employers and their workmen have by a written agreement under sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government, under sub-section (3) of section 10A of the said Act, a copy of the said arbitration agreement

Now, therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement.

AGREEMENT UNDER SECTION 10A OF THE THE INDUSTRIAL DISPUTES ACT, 1947.

BLIWPPN

Representing Employers. Bombay Stevedores' Association Ltd., Bombay.

Representing Workmen Transport & Dock Workers Union Bombay

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri T S Sankarn, Joint Secretary, Ministry of Labour, Shiam Shakti Bhavan, Rafi Marg, New Delhi:

(1) *Specific matters in dispute* In the context of report of the Central Wage Board for Port and Dock Workers the decisions of the Government thereon, and other related matters, the demands raised by the All India Port and Dock Workers' Federation and the further discussions held on these, the following matters in dispute relating to Port and Dock Workers of the Major Ports are agreed to be referred to arbitration under Section 10A of the Industrial Disputes Act 1947 for decision on merits —

- (1) Whether, and, if so to what extent, the rates for recovery of rent for standard houses proposed by Government, namely 7½ per cent of basic pay (and not City Compensatory Allowance), where basic pay is less than Rs 200 per mensem and at the rate of 10 per cent of basic pay (and not City Compensatory Allowance), if it is Rs 200 per mensem or more, should be reduced taking into account the subsidy element in the Subsidised Industrial Housing Scheme and other relevant factors
- (2) Whether in the matter of fixation of pay in the revised scales accepted by the government on the basis of the Central Wage Board Report for Port and Dock Workers at Major Ports, the interim relief of Rs 11.80 Per Mensem or part thereof granted by government as recommended by the Wage Board should be taken into account
- (3) Whether Dearness Allowance (including additional Dearness Allowance and increases in Dearness Allowance from time to time) in part or full should be treated as pay for the purpose of House Rent Allowance and City Compensatory Allowance

(ii) Details of parties to the dispute including the names and addresses of the establishments or undertakings involved,

- (1) Bombay Stevedores Association Ltd, Janma Bhoomi Chambers, Fort Street, Bombay 1
- (ii) Name of the Union Transport & Dock Workers Union, P D Mellow Bhavan, P D Mello Road, Carnac Bunder, Bombay 1
- (iv) Total number of workmen employed in the undertaking affected Approximately 8,000
- (v) Estimated number of workmen affected or likely to be affected by the dispute Approximately 5,000

The arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing.

The previous agreement entered into by us on 20th June 1973 and published by the Government of India, Ministry of Labour and Rehabilitation (Department of Labour and Employment) in part II Section 3, sub section (ii) of the Gazette of India dated 21st July 1973 vide their Order No I 39013/1/73-P&D(V) dated 11th July 1973 to refer the above mentioned industrial dispute to the arbitration of Shri A G Zambie Presiding Officer Central Government Industrial Tribunal cum Labour Court No 2 4th Floor, City

Ice Building, 298 Bazaar Street, Fort, Bombay, is hereby cancelled

Dated the 14th day of June 1974

Representing employers

Signature of the Parties

For the Bombay Stevedores' Association Ltd

Sd/- Illegible

Secretary,

Representing workmen

Sd/- Illegible

Secretary,

Transport & Dock Workers Union, Bombay

Witness —

1 Sd/ Illegible

2 Illegible

[No L-39013/1/73-P&D/LRIII(vi)]

प्रादेश

का० आ० १७६३—यत बम्बई पत्तन न्याम बम्बई के प्रबन्धनन्न मे० सम्बद्ध नियाजका और उनके कमकारा ए० शीत जिनका प्रतिनिधित्व बम्बई पत्तन न्याम रेल कर्मचारी यन्यन बम्बई करना तै, एवं औद्योगिक विवाद विद्यमान है,

और यत उक्त नियाजका और उनके कमकारा न औद्योगिक विवाद प्रथितियम १९१७ (१९१७ आ० ११) को धारा १०क का उपधारा (१) के प्रधीन एक नियित करार द्वारा उक्त विवाद वा० माध्यस्थम् के लिए नियंत्रित करने का करार कर दिया है और उक्त प्रथितियम की धारा १०क की उपधारा (३) के प्रधीन उक्त माध्यस्थम् करार की एक प्रति केन्द्रीय सरकार का भेंगी है

अत अब उक्त प्रथितियम का धारा १०क की उपधारा (३) के प्रत्युम्भन मे० अन्द्रीय सरकार उक्त पराम का एतद्वारा प्रवाणित करती है।

प्रोद्योगिक विवाद प्रथितियम, १९४७ को धारा १०क के प्रधीन करार के द्वारा नियाजका वा० प्रतिनिधित्व करने वाले बम्बई पत्तन न्याम बम्बई १ कर्मचारा का प्रतिनिधित्व करने वाले बम्बई पत्तन न्याम रेलवम्चारी यन्यन बम्बई १

पक्षकारा ए० शीत करार किया गया है कि नियन्त्रित प्रोद्योगिक विवाद ३१ श्री टी० एम० शक्तन, संयुक्त गतिव श्रम मत्तालय श्रम शक्ति भवन रफी मारा नई दिनी के माध्यस्थम् के लिए नियंत्रित किया जाय।

(1) विनियिष्ट विवादप्रस्त विषय पत्तन और डाक कर्मकारों के लिए बन्द्राय मजदूरों वार्ता की गिराई, उम पर लिए गए सरकारी नियंत्रण और अन्य संविधित विषयों प्रायिक भारतीय पत्तन और डाक कर्मकार फड़रण द्वारा उठाई गई मारा और इन पर आपे किए गए विवाद-विमण के सन्दर्भ मे० महात्मा के और डाक कर्मकार से सम्बन्धित नियन्त्रित विवादप्रस्त विषयों का औद्योगिक विवाद प्रथितियम, १९४७ को धारा १०क के प्रधीन माध्यस्थम् के लिए गुणदात्र के आधार पर नियन्त्रण नियंत्रित किया जाना वा० वराग किया गया है —

(1) न्या प्रवान्नाम्य प्राप्त औद्योगिक प्रावास याजना ग अव्याहार्य ए० तत्व और अन्य मुस्तक वारणा का ध्यान मे० रखते हुए

(2) Whether in the matter of fixation of pay in the revised scales accepted by the government on the basis of the Central Wage Board Report for Port and Dock Workers at Major Ports, the interim relief of Rs. 11.80 Per Mensem or part thereof granted by government as recommended by the Wage Board should be taken into account.

(3) Whether Dearness Allowance (including additional Dearness Allowance and increases in Dearness Allowance from time to time) in part or full should be treated as pay for the purpose of House Rent Allowance and City Compensatory Allowance.

(i) Details of parties to the dispute including the names and addresses of the establishments or undertakings involved;

(1) Bombay Port Trust Shooji Vallabhdas Marg, Fort, Bombay-400038.

(2) B.P.T. Railwaymen's Union, Kalachowkey-Sewree Road, Bombay-400033.

(iii) Name of the Union : B. P. T. Railwaymen's Union Bombay.

(iv) Total number of workmen employed in the undertaking affected—29,600 (Approximately).

(v) Estimated number of workmen affected or likely to be affected by the dispute—29,800.

The arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing.

The arbitrator shall make his award within a period of 1973 and published by the Government of India, Ministry of Labour and Rehabilitation (Department of Labour and Employment) in part II, Section 3, sub-section (ii) of the Gazette of India dated 21st July, 1973 *vide* their Order No. I-39013/1/73-P&D(V) dated 11th July 1973 to refer the above mentioned industrial dispute to the arbitration of Shri A. T. Zambre, Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court No. 2, 4th Floor, City Ice Building, 298, Bazaar Street, Fort, Bombay, is hereby cancelled.

Dated the 14th day of June 1974.

Signature of the Parties.

Representing employers.

Sd/- Illegible.

Secretary,
Bombay Port Trust
Bombay.

Representing workmen :

Sd/- Illegible

General Secretary,
B.P.T. Railwaymen's Union,
Bombay.

Witness :—

1. Sd/- Illegible.

2. Sd/- Illegible.

[No. L-39013/73-P&D/LRIII(iv)]

आदेश

का० आ० १७६४—यत् वस्त्रई पतन न्याम, वस्त्रई के प्रवन्धनात्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, जिनका प्रतिनिधित्व वस्त्रई पतन न्याम कर्मचारी युनियन, वस्त्रई कर्मचारी है, एक श्रीरोगिक विवाद विद्यमान है :

और यह उक्त नियामकों और उनके कर्मकारों ने श्रीरोगिक विवाद अधिनियम, 1947 (1947 की धारा 10क की उपधारा (1) के अधीन एक निवित करार द्वारा उक्त विवाद को माध्यस्थम् के लिए निर्देशित करने का कागर कर दिया है और, उक्त अधिनियम की धारा 10क की उप धारा (3) के अधीन उक्त माध्यस्थम् करार की एक प्रति केन्द्रीय सरकार को भेजा है,

अतः, अब, उक्त अधिनियम की धारा 10क की उपधारा (3) के अनुमत्तर में, केन्द्रीय सरकार उक्त कागर को, एकद्वारा प्रकाशित करनी है

श्रीरोगिक विवाद अधिनियम 1947 की धारा 10क के अधीन करार के बीच नियोजकों का प्रतिनिधित्व करने थाले : वस्त्रई पतन न्याम, वस्त्रई।

कर्मकारों का प्रतिनिधित्व करने वाले वस्त्रई पतन न्याम कर्मचारी युनियन वस्त्रई।

कर्मकारों के बीच कागर किया गया है कि निम्नलिखित श्रीरोगिक विवाद को श्री टी० एम० शक्तन, मयूरन मध्यिक, श्रम मंचालय, श्रम अधिक भवन, गोपनीय, नई विलासी के माध्यस्थम् के लिए निर्देशित किया जाये ।

(1) विनिंदिट विवादश्वत्र विषय : पतन श्रीरोगकारों के लिए केन्द्रीय मजदूरी बोर्ड की रिपोर्ट, उस पर लिए गए सरकारी निर्णयों और अन्य संबंधित विषयों, अधिकल भारतीय पतन श्रीरोगकारों के लिए निवित करार द्वारा उठाई गई मार्गों और उन पर आगे किए गए विचार-विभागों के सन्दर्भ में, महापतनरों के और डाक कर्मकारों से सम्बन्धित निम्नलिखित विवादश्वत्र विषयों को श्रीरोगिक विवाद अधिनियम, 1947 की धारा 10क के अधीन माध्यस्थम् के लिए, गुण-शोध के प्राधार पर निर्णयार्थ निर्देशित किया जाने का कागर किया गया है :—

(1) क्या प्रथमाहार्य प्राप्त श्रीरोगिक आशार योजना में प्रथमाहार्य के तत्व और अन्य मुर्मंगत कारणों का ध्यान में रखने हुए मात्रक मध्यान्तरों के किरणों की वस्त्री की सरकार द्वारा प्रस्तुत दरों की अवधि, जहां मूल वेतन 200 रु. प्रतिमाह से कम है वहां मूल वेतन का (परन्तु नगर प्रतिकर भर्ते का नहीं) 7-1/2 प्रतिशत और जहां वह 200 रु. प्रतिमाह या उससे अधिक है वहां मूल वेतन (परन्तु नगर प्रतिकर भर्ते का नहीं) का 10 प्रतिशत, घटाया आना चाहिए और यदि हाँ, तो किस सीमा तक ?

(2) क्या महा पतनरों के पतन श्रीरोगकारों के लिए केन्द्रीय मजदूरी बोर्ड की रिपोर्ट के प्राधार पर सरकार द्वारा स्वीकृत मंशोधित वेतनमानों में वेतन के निर्धारण के विषय में मजदूरी बोर्ड की सिफारिश के प्रत्युमार सरकार द्वारा भजूर की गई 11.80 रुपये प्रति माह की अन्तरिम महायता या उसके भाग को ध्यान में रखा जाना चाहिए ?

(3) क्या मध्यान किया भर्ते और नगर प्रतिकर भर्ते के प्रयोजन के लिए, मध्यार्ह भर्ते (अन्तिरिक्त मंशार्ह भर्ते और सभी समय पर मंशार्ह भर्ते में की गई बुद्धियों महिन) को प्रशंसतः या पूर्णतः वेतन के रूप में माना जाना चाहिए ?

(ii) विवाद के पक्षकारों का विवरण, जिसमें प्रति स्थापनों या उपक्रमों के नाम और पों भी नम्मीतन हैं।

(1) बम्बई पतन न्याय, शूर्जी बम्बई प्रदान मार्ग
फोर्ट, बम्बई 100038।

(2) बम्बई पतन न्याय कर्मचारी यूनियन,
कामगार गढ़न,
नवाय टैक शावर लिंग
मजार्गांव,
बम्बई-100010।

(iii) यूनियन का नाम. बम्बई पतन न्याय कर्मचारी यूनियन,
बम्बई।

(iv) प्रभावित उपक्रम में नियों-
जिन कर्मकारों की कुल 29,800 (लगभग)
संख्या—

(v) विवाद से प्रभावित या
सभाव्यत कर्मकारों की 24,800
कुल संख्या :

मध्यस्थ अपना पचाट तीन मास की अवधि या इन्हें और समय के
भीतर जो हमारे बीच गारम्प्रिक विवित करार द्वारा बढ़ाया जाए,
देगा।

उपर्युक्त श्रीद्वयिक विशद को श्री ए. टी. आम्रे, पीटाम्बीन अधिकारी,
केन्द्रीय सरकार श्रीद्वयिक अधिकारण-एड-श्रम न्यायालय संख्या 2, चौथी
मंजिल, मिट्टी शार्फिम बिलिंग, 298 बाजारगेट, फोर्ट बम्बई को निर्देशित
करने सम्बन्धी पिलाका करार, जो हमने 20 जून, 1973 को किया था
और जिसे भारत सरकार के श्रम और पुनर्वास मंत्रालय (श्रम और रोज़-
गार विभाग) ने अपने आवेदन गंद्या एल-39013/1/73-पी० एष्ट दी०
(v), तारीख 11 जूलाई, 1973 के रूप में भाग्न के तारीख 21
जूलाई, 1973 के गजपत्र, भाग 2, खण्ड 3, उपखण्ड (ii) में प्रकाशित
किया था, एवं द्वारा रद्द किया जाना है।

तारीख जून, 1974 का 14 थी दिन।

पतकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले. ३०/- अपाठ्य

सचिव
बम्बई पतन न्याय,
बम्बई।

कर्मकारों का प्रतिनिधित्व करने वाले : ३०/- अपाठ्य

महामण्डिव
बम्बई पतन न्याय कर्मचारी
यूनियन,
बम्बई।

गार्फी : (1) ३०/-
(एम० ए० मुद्राम)

(2) ३०/- अपाठ्य

[संख्या एल-39013/1/73-पी० एष्ट दी०/एल० आर० III (ii)]

ORDER

S.O. 1764.—Whereas an industrial dispute exists between the employers in relation to the management of Bombay Port Trust Bombay and their workmen as represented by Bombay Port Trust Employees' Union, Bombay;

And, whereas, the said employers and their workmen have by a writing agreement under sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government, under sub-section (3) of section 10A of the said Act, a copy of the said arbitration agreement.

Now, therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement.

AGREEMENT UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947.

BETWFEN

Representing employers : BOMBAY PORT TRUST, BOMBAY
Representing Workmen : B.P.T. Employees' Union, Bombay

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri T. S. Sankarn, Joint Secretary, Ministry of Labour, Shram Shakti Bhavan, Rafi Marg, New Delhi.

(i) **Specific matters in dispute.**—In the context of report of the Central Wage Board for Port and Dock Workers, the decisions of the Government thereon, and other related matters, the demands raised by the All India Port and Dock Workers' Federation and the further discussions held on these, the following matters in dispute relating to Port and Dock Workers of the Major Ports are agreed to be referred to arbitration under Section 10A of the Industrial Disputes Act, 1947, for decision on merits :—

(1) Whether, and, if so to what extent, the rates for recovery of rent for standard houses proposed by Government, namely, 7-1/2 per cent of basic pay (and not City Compensatory Allowance), where basic pay is less than Rs. 200/- per mensem and at the rate of 10 per cent of basic pay (and not City Compensatory Allowance), if it is Rs. 200 per mensem or more, should be reduced taking into account the subsidy element in the Subsidised Industrial Housing Scheme and other relevant factors.

(2) Whether in the matter of fixation of pay in the revised scales accepted by the government on the basis of the Central Wage Board Report for Port and Dock Workers at Major Ports, the interim relief of Rs. 11.80 Per Mensem or part thereof granted by government as recommended by the Wage Board should be taken into account

(3) Whether Dearness Allowance (including additional Dearness Allowance and increases in Dearness Allowance from time to time) in part or full should be treated as pay for the purpose of House Rent Allowance and City Compensatory Allowance.

(ii) Details of parties to the dispute including the names and addresses of the establishments or undertakings involved ;

(1) BOMBAY PORT TRUST Shoorji Vallabhdas Marg, Fort, Bombay-400038.

(2) B.P.T. Employees' Union, Kamgar Sadan, Nawab Tank Overbridge, Mazagaon, Bombay 400010.

(iii) Name of the union : B. P. T. Employees Union, Bombay.

(iv) Total number of workmen employed in the undertaking affected—29,800 (Approximately).

(v) Estimated number of workmen affected or likely to be affected by the dispute—29,800.

The arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing.

The previous agreement entered into by us on 20th June, 1973 and published by the Government of India, Ministry of Labour and Rehabilitation (Department of Labour and Employment) in part II, Section 3, sub-section (ii) of the Gazette of India dated 21st July 1973 *vide* their Order No. L-39013/1/73-P&D(V) dated 11th July 1973 to refer the above mentioned industrial dispute to the arbitration of Shri A. T. Zambre, Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court No. 2, 4th Floor, City Ice Building, 298, Bazargate Street, Fort, Bombay, is hereby cancelled.

Dated the 14th day of June 1974

Signature of the Parties.

Representing employers.

Sd/- Illegible.
SECRETARY,
BOMBAY PORT TRUST
BOMBAY.

Representing workmen :

Sd/- Illegible.
General Secretary,
B.P.T. Employees' Union,
Bombay.

Witness :—

1. Sd/- Illegible.

2. Sd/- Illegible.

[No L-39013/1/73-P&D/I.R. III (ii)]

New Delhi, the 1st July, 1974

ग्रादेश

क्रा० अ० १७६३.—यह बम्बई पत्तन न्याय, बम्बई के प्रबन्धालंब से संबंध नियोजकों और उनके कर्मकारों के बीच, जिनका प्रतिनिधित्व परिवहन और डाक श्रमिक यूनियन, बम्बई करनी है, एक औद्योगिक विवाद विद्यमान है;

और यह उक्त नियोजकों और उनके कर्मकारों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 1.) की धारा 10क की उपधारा (1) के अधीन एक लिखित करार द्वारा उक्त विवाद को माध्यम्यम के लिए निर्विचित करने का करार कर लिया है और, उक्त अधिनियम की धारा 10क की उपधारा (3) के अधीन उक्त माध्यम्यम करार की एक प्रति केन्द्रीय सरकार को भेजी है;

अतः, अब, उक्त अधिनियम की धारा 10क की उपधारा (3) के अनुमति में, केन्द्रीय सरकार उक्त करार को एतदद्वारा प्रकाशित करनी है।

औद्योगिक विवाद अधिनियम, 1947 की धारा 10क

के अधीन करार के बीच

नियोजकों का प्रतिनिधित्व करने वाले बम्बई पत्तन न्याय, बम्बई।
वाले :

कर्मकारों का प्रतिनिधित्व करने वाले परिवहन और डाक श्रमिक यूनियन, बम्बई

पश्चात्याक के बीच करार किया गया है कि निम्नलिखित औद्योगिक विवाद को श्री टी० एम० शकरन, समृद्ध मचिव, थम मंत्रालय, थम गणक भवन, रक्षी मार्ग, नई दिल्ली के माध्यम्यम के लिए निर्विचित किया जाए।

(i) विनिर्दिष्ट विशालप्रस्त विषय—पत्तन और डाक कर्मकारों के लिए केन्द्रीय मजदूरी बोर्ड की रिपोर्ट, उम पर लिए गए सरकारी निर्णयों और अन्य संबंधित विषयों, अधिकाल भारतीय पत्तन प्रौद्योगिकी कर्मकार फेडरेशन द्वारा उठाई गई मार्गों और इन पर आगे किए गए विचार-विषयों के मध्यम से, महापत्तनों के पत्तन और डाक कर्मकारों से संबंधित निम्नलिखित विवाद-प्रस्त विषयों का औद्योगिक विवाद अधिनियम, 1947 की धारा 10क के अधीन माध्यम्यम के लिए, गुण-वौधार पर निर्णयार्थ निर्विचित किए जाने का करार किया गया है—

(1) क्या अर्थमाहात्य प्राप्त औद्योगिक आवास योजना में अर्थमाहात्य के तत्व और अन्य सुविधाएँ कारणों को ध्यान में रखते हुए मानक मकानों के कियाये की बम्ली की सरकार द्वारा प्रस्तावित दरों को, असति, जहाँ मूल वेतन 200 रु० प्रतिमाह में कम है, वहाँ मूल वेतन का (परन्तु नगर प्रतिकर भत्ते का नहीं) 7-1/2 प्रतिशत और जहाँ वह 200 रु० प्रतिमाह या उसमें अधिक है, वहाँ मूल वेतन (परन्तु नगर प्रतिकर भत्ते का नहीं) का 10 प्रतिशत, अटाया जाना चाहिए और पर्दि हाँ, तो किसी सीमा तक ?

(2) क्या महापत्तनों के पत्तन और डाक कर्मकारों के लिए केन्द्रीय मजदूरी बोर्ड की रिपोर्ट के आधार पर सरकार द्वारा स्वीकृत संशोधित वेतनमानों में वेतन के निर्धारण के विषय में मजदूरी बोर्ड की मिकारिश के अनुसार सरकार द्वारा भजूर की गई 11 80 रुपये प्रति माह की अन्तरिम महायाता या उसके भाग को ध्यान में रखा जाना चाहिए ?

(3) क्या मकान कियाया भत्ते और नगर प्रतिकर भत्ते के प्रयोजन के लिए, महाराई भत्ते (प्रतिरिक्त महाराई भत्ते और समय-समय पर महाराई भत्ते में की गई बृद्धियों महिम) को अंशत या पूर्णत वेतन के रूप में माना जाना चाहिए ?

(ii) विवाद के पक्षकारों का वि- (1) बम्बई पत्तन न्याय, शूर्जी वरण, जिसमें प्रस्त स्थापना वल्नवभास मार्ग, फोर्ट, बम्बई-या उपत्रामो के नाम और पते 400038.

भी मम्मिलित है—

(2) परिवहन और डाक श्रमिक यूनियन, पी० डी' मेल्लो भवन, पी० डी' मेल्ली रोड, कानूनीक वन्द्र, बम्बई 100001,

(iii) यूनियन का नाम परिवहन और डाक श्रमिक यूनियन

(iv) प्रभावित उपकर में नियोजित 29,800 (तगड़ग)।

कर्मकारों की कुल मंख्या :

(v) विवाद से प्रभावित या म- 29,800 भाव्यतः प्रभावित कर्मकारों की अनुमानित मंख्या

मध्यस्थ अपना पंचायत तीन मास की अवधि या हनने और समय के भीतर जो हमारे बीच पारम्परिक लिखित करार डाग बहाया जाए, देगा।

उपर्युक्त श्रोतुर्गिक विवाद को श्री प० टी० जाम्हे, पीठामीत अधिकारी, केन्द्रीय सरकार श्रोतुर्गिक अधिकरण-में थम स्थायालय मक्का 2, बौद्धी मंजिल, मिट्टी आईस बिल्डिंग, 298, बाजारगेट, फोर्ट, बम्बई को सिवेंगित करने संबंधी गिरावला करार, जो हमने 20 जून, 1973 को किया था और जिसे भारत सरकार के थम और पुनर्वास मवालय (थम और राजसार विभाग) ने आपने आदेश मुद्या प०-39013/1/73-प० पाइ दी० (v) मारीख 11 जूलाई, 1973 के स्व में भारत के दिनांक 21 जूलाई, 1973 के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (ii) में प्रकाशित किया था, एनव्हीआर रद्द किया जाता है।

नारीख 14 जून, 1974।

प्रधानकारों के नम्नानुसार

नियोजकों का प्रतिनिधित्व करने वाले ह०—प्रापाठ्य

बम्बई पत्तन न्याय,
बम्बई।

कर्मकारों का प्रतिनिधित्व करने वाले ह०—प्रापाठ्य

गवर्नर
परिवहन और डाक अधिक यूनियन,
बम्बई।

मासी 1 ह०—प्रापाठ्य

2. ह०—प्रापाठ्य

[स० प०-39013/1/73-प० पाइ दी०/एस आर III (i)]

श्री प० शंकर तमवाड़, उप-मंत्रिव

ORDER

S.O. 1765.—Whereas an industrial dispute exists between the employers in relation to the management of Bombay Port Trust, Bombay and their workmen as represented by Transport and Dock Workers' Union, Bombay;

And, whereas, the said employers and their workmen have by a written agreement under sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government, under sub-section (3) of section 10A of the said Act, a copy of the said arbitration agreement.

Now, therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement.

AGREEMENT UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947

BETWEEN

Representing employers: Bombay Port Trust, Bombay.
Representing Workmen: Transport and Dock Workers' Union, Bombay.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri T. S. Sankarn, Joint Secretary, Ministry of Labour, Shram Shakti Bhavan, Rafi Marg, New Delhi.

(i) *Specific matters in dispute.*—In the context of report of the Central Wage Board for Port and Dock Workers, the decisions of the Government thereon,

and other related matters, the demands raised by the All India Port and Dock Workers' Federation and the further discussions held on these, the following matters in dispute relating to Port and Dock Workers of the Major Ports are agreed to be referred to arbitration under Section 10A of the Industrial Disputes Act, 1947, for decision on merits:—

- (1) Whether, and, if so to what extent, the rates for recovery of rent for standard houses proposed by Government, namely, 7-1/2 per cent of basic pay (and not City Compensatory Allowance), where basic pay is less than Rs. 200/- per mensem and at the rate of 10 per cent of basic pay (and not City Compensatory Allowance), if it is Rs. 200 per mensem or more, should be reduced taking into account the subsidy element in the Subsidised Industrial Housing Scheme and other relevant factors.
- (2) Whether in the matter of fixation of pay in the revised scales accepted by the government on the basis of the Central Wage Board Report for Port and Dock Workers at Major Ports, the interim relief of Rs. 11.80 per mensem or part thereof granted by government as recommended by the Wage Board should be taken into account.
- (3) Whether Dearness Allowance (including additional Dearness Allowance and increases in Dearness Allowance from time to time) in part or full should be treated as pay for the purpose of House Rent Allowance and City Compensatory Allowance.
- (ii) Details of parties to the dispute including the names and addresses of the establishments or undertakings involved;
- (1) BOMBAY PORT TRUST Shoorji Vallabhdas Marg, Fort, Bombay-400,038.
- (2) Transport and Dock Workers' Union, P. D'Mello Bhavan, P. D'Mello Road, Garnac Bunder, Bombay 400001
- (iii) Name of the Union : Transport & Dock Workers' Union.
- (iv) Total number of workmen employed in the undertaking affected—29,800 (approximately).
- (v) Estimated number of workmen affected or likely to be affected by the dispute—29,800.

The arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing.

The previous agreement entered into by us on 20th June, 1973 and published by the Government of India, Ministry of Labour and Rehabilitation (Department of Labour and Employment) in part II, Section 3, sub-section (ii) of the Gazette of India dated 21st July 1973 *vide* their Order No. L-39013/1/73-P&D(V) dated 11th July 1973 to refer the above mentioned industrial dispute to the arbitration of Shri A. T. Zambre, Presiding Officer, Central Government

Industrial Tribunal cum-Labour Court No. 2, 4th Floor, City Ice Building, 298, Bazaar Street, Fort, Bombay, is hereby cancelled.

Dated the 14th day of June 1974.

Signature of the Parties.

Representing employers.

Illegible.

Secretary,
Bombay Port Trust
Bombay.

Representing workmen :

Illegible.

Secretary,
Transport & Dock
Workers Union, Bombay.

Witness :—

1. Illegible
2. Illegible.

[No 1-39013/1/73-P&D/LRIII(i)]

O. P. TALWAR, Dy. Secy.

New Delhi, the 2nd July, 1974

S.O. 1766.—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2 Bombay, in the industrial dispute between the employers in relation to the management of Messrs Lima Leitao and Company Limited, Vasco-da-Gama and their workmen, which was received by the Central Government on the 27th June, 1974.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

Reference No. CGIT-2/18 of 1969

Employers in relation to the Management of Messrs Lima Leitao & Company Limited Vasco-da-Gama

AND

THEIR WORKMEN

PRESENT:

Shri N. K. Vani, Presiding Officer

APPEARANCES:

FOR THE EMPLOYERS—Shri P. K. Rele, Advocate.

FOR THE WORKMEN—Shri H. K. Sowani, Advocate.

Industry : Ports and Docks. State : Goa, Daman and Diu.

AWARD

By order No. 29/39/69-I.WI-III dated 8-11-1969, the Government of India, in the Ministry of Labour and Rehabilitation (Department of Labour and Employment) in exercise of the powers conferred by clause (d) of sub-section (1) of the Section 10 of the I.D. Act, 1947 (14 of 1947) referred to this Tribunal for adjudication an industrial dispute exist-

ing between the employers in relation to the management of Messrs Lima Leitao & Company Limited, Vasco-da-Gama and their workmen in respect of the matters specified in the Schedule as mentioned below:—

SCHEDULE

"1) Whether the action of the Management of Messrs Lima Leitao and Company Limited, Vasco da-Gama in retrenching the following workmen with effect from 31-12-1968 and 1-1-69 is justified;	Designation
2) If not to what relief they are entitled to?	
Name	
1. R. J. Fernandes	General Clerk
2. S. Mergulhao	Accounts Clerk
3. Yeshwant Parsekar	Driver
4. R. N. Kulangutker	Supervisor
5. J. A. Rodrigues	Tally Clerk
6. John Fernandes	Tally Clerk
7. Marianio Nunes	Tally Clerk
8. M. L. Adarker	M/E in-charge
9. Anthony Carvalho	M/I Assistant
10. Sima Palkar	Foreman
11. Domingos Souza	
12. Menino Aphonso	

LAUNCH CREW

1. Lexman Chodnaker	Tindel
2. Curudas Custa Naik	Driver
3. Surya Vithal Potto	Sailor
4. Ramachandra S. Naik	
5. Vasudeo Parob	Tindel
6. Tulsidas M. Coruenker	Driver
7. Janarathan C. Naik	Sailor
8. Kasinath L. Seth	"
9. Sabs Jambo Mojo	"

2. After the receipt of this reference notice were issued to the parties to file their written statement.

3. M/s. Lima Leitao & Company Limited, Vasco-da-Gama (hereinafter referred to as the 'the company') has filed written statement Ex. 1/E and rejoinder at Ex. 3/E.

4. The General Secretary, Goa Dock Labour Union has filed written statement at Ex.2/W on behalf of the workmen.

5. According to the General Secretary of the Goa Dock Labour Union:—

- (i) The company is a partnership firm carrying on the business of Stevedoring and Launching operation in the Port of Mormugao. The company is doing excellent business.
- (ii) On 31-12-1968 the company issued retrenchment notices to the members of the staff including the launch crew informing them that the firm was not doing sufficient business to warrant the maintenance of the present office staff and therefore the company was compelled to retrench the same with effect from 31-12-1968. To the launch crew the company informed that since the motor launches were running into recurring losses during the last five years the company intending laying them up with effect from 31-12-1968 and hence the ser-

vices of the launch crew were no longer required. These notices of retrenchment were served upon the workers who are covered by this Reference and such notices were not served upon those whom the company wanted to retain in its services. While selecting the workers for retrenchment the company did not select them according to the principle of 'first come last go'. The company did not give them retrenchment compensation on 31-12-1968 i.e. on the day on which the services were retrenched.

- (iii) The retrenchment notices and the consequent retrenchment are *malafide*, and illegal. This retrenchment was with a view to victimise the workers. The reason for termination of services which is given as 'not doing sufficient business' is absolutely false and unreal. The company was not incurring losses but it was prospering.
- (iv) Though the company ostensibly claims its dissolution, in reality the same partners have formed a new company and the staff which was engaged in this company is being asked to join the new company as new employees on much reduced salary and other emoluments. This shows that the real reason behind retrenchment was to reduce wages and emoluments of the workers.
- (v) The company has not paid retrenchment compensation but it has paid gratuity to the workers. As retrenchment compensation as per the provisions of Section 25F(b) was not paid to them, the retrenchment is illegal and void.
- (vi) As the action of the company in retrenching the employees is illegal, the workmen are entitled to reinstatement in service of the company on payment of full wages for the period of their forced unemployment.

6. According to the company:—

- (i) It has ceased doing the business of Stevedoring and launching with effect from 31-12-1968 as it closed down its business with effect from the said date. Its Balance-sheet and Profit and Loss Account for the year 1966 showed a meagre profit of Rs. 223.14. Its Balance-sheet and Profit and Loss Account for the years 1967 and 1968 showed a loss of Rs. 68,357.53 and Rs. 39,115.79 respectively. It suffered a total loss of Rs. 1,07,000 completely wiping out the capital of the company, which was Rs. 1,00,000/-. In these circumstances the partners of the company decided to discontinue the business. It was not doing good business.
- (ii) It served retrenchment notices to all the workmen and paid them retrenchment compensation. As the services of all the workmen were terminated, the question of the company selecting the workmen on the principle of 'Last come first go' cannot arise. It had closed down its business with effect from 31-12-1968 and the workmen were offered compensation on the usual pay scale in accordance with the provisions of the Act. It has not violated any provisions of the law. As the termination was on account of closure, payment of compensation was not a condition precedent.
- (iii) As there was no scheme of gratuity, there was no question of paying gratuity to the workmen. The compensation in accordance with the provisions of law was paid to the workmen.
- (iv) The workmen are not entitled to relief of reinstatement inasmuch as there has been a dissolution of partnership, with effect from 31-12-1968. The question of reinstating the workmen or paying the full wages after 31-12-1968 cannot arise.
- (v) The company has no permanent staff at present. The management also approached various other

companies, friends and sympathizers with an attempt to provide employment to the retrenched staff concerned in this reference and almost all have by now secured employment.

7. The Union has examined six witnesses on behalf of the workmen. They are as follows:—

- (i) Shri John Fernandes, Ex. 4/W.
- (ii) Shri G. G. Vathal, Ex. 8/.
- (iii) Shri Gurudas Kusta Naik, Ex. 20/W.
- (iv) Shri Dinanath Shanker Kenkare, Ex. 22/W.
- (v) Shri Iacio Araujo, Ex. 23/W.
- (vi) Shri A. Onkappa, Ex. 43/W.

8. The Union has produced documents in support of its claim as mentioned below:—

- (1) Retrenchment notice dated 31-12-1968 to Shri John Fernandes, Ex. 5/W.
- (2) Notice dated 31-12-1968 Ex. 6/W.
- (3) Settlement dated 23-12-1968 Ex. 7/W.
- (4) List of Stevedores dated 27-11-1971 Ex. 9/W.
- (5) Debit Notes dated 3-11-1971 Ex. 10/W.
- (6) Letter dated 27-5-1971 to the Manager, Pool Office of Mormugao Dock Labour Union, Ex. 11/W.
- (7) Retrenchment notice dated 31-12-1968 issued to Shri Gurudas Naik, Ex. 21/W.
- (8) Tally Sheets pertaining to Messrs Lima Leitao & Co. Ltd. for the month of October, 1968, Ex. 24/W.
- (9) Tally Sheets pertaining to Messrs Lima Leitao & Co. Ltd. for the month of October 1971, Ex. 26/W.
- (10) Tally Sheets pertaining to Messrs Lima Leitao & Co. Ltd. for the month of October 1971, Ex. 26/W.
- (11) Debit Notes in favour of Lima Leitao & Co. Ltd. at Ex. 27/W (1) to 27/W (24).
- (12) Letter dated 14-10-1971 to the Administrative Body, Mormugao Dock Labour Board from the Managing Director, Lima Minerals Pvt. Ltd. Ex. 28/W.
- (13) Letter dated 7-10-1971 from Lima Minerals Pvt. Ltd. Ex. 29/W.
- (14) Letter dated 14-10-1970 from Lima Minerals Pvt. Ltd. Ex. 30/W.
- (15) Debit notes dated 14-10-1970 Ex. 31/W to 34/W.
- (16) Letter dated 28-10-1970 from Lima Leitao & Co. Ltd. Ex. 35/W.
- (17) Letter dated 30-10-1970 from Lima Minerals Pvt. Ltd. at Ex. 36/W.
- (18) Letter dated 27-10-1970 from Lima Leitao & Co. Ltd. Ex. 37/W.
- (19) Letter dated 27-10-1970 from Lima Minerals Pvt. Ltd. Ex. 38/W.
- (20) Letter dated 8-10-1969 from Lima Minerals Pvt. Ltd. Ex. 39/W.
- (21) Letter dated 17-10-1968 from Lima Leitao & Co. Ltd. Ex. 40/W.
- (22) Statement regarding accounts of M/s. Lima Leitao and Co. Ltd. Ex. 44/W.
- (23) Letter dated 30-7-1968 by the workers to Shri Mohan Nair, Ex. 73/W.
- (24) Letter dated 22-8-1968 from S/Shri S. Mergulhao and M. Fernandes to Shri Mohan Nair Ex. 74/W.

(25) Letter dated 24-4-1969 from Lima Leitao & Co. Ltd. at Ex. 75/W.

(26) Letter dated 26-12-1968 from certain workmen to Shri Mohan Nair Ex. 79/W.

9. The company has examined four witnesses as mentioned below:

(i) Shri Salvador Mergulhao, Ex. 45/E.

(ii) Shri Roque Cunha, Ex. 52/E.

(iii) Shri Jose Cota, Ex. 56/E.

(iv) Smt. Urminda Lima Leitao, Ex. 61 E.

10. The company has produced documents as mentioned below:

(1) Letter dated 13-2-1969 from the Dy. Chairman to M/s. Lima Leitao & Co. Ltd. Ex. 12/E.

(2) Receipts passed on to M/s. Lima Leitao & Co. Ltd. by Mormugao Dock Labour Board at Ex. 13/F(1) to (11).

(3) Office order dated 24-2-1972 of the Mormugao Dock Labour Board, Ex. 14/E.

(4) Office order dated 2-3-1972 of the Mormugao Dock Labour Board, Ex. 15/E.

(5) Show Cause Notice dated 6-6-1972 of the Mormugao Dock Labour Board, Ex. 16/E.

(6) Order of suspension dated 23-6-1972 of the Mormugao Dock Labour Board, Ex. 17/E.

(7) Mormugao Dock Labour Board's communication dated 16-8-1971, Ex. 18/E.

(8) Receipt passed on to M/s. Lima Mineral Pvt. Ltd. by the Mormugao Dock Labour Board, Ex. 19/E.

(9) M/s. Lima Leitao & Co. Ltd.'s letter dated 31-12-1968 to the Deputy Captain of Ports Ex. 41/E regarding Sputnik.

(10) M/s. Lima Leitao & Co. Ltd.'s letter dated 31-12-1968 to the Captain of Ports, Ex. 42/E regarding Lunik.

(11) Profit and Loss Account for the year ended 31-12-1966, Ex. 46/E.

(12) Certificate issued by Shri G. S. Kamat, Chartered Accountant, Ex. 47/E.

(13) Copy of letter No. 2/3/68-PR dated 23-4-1965 from the Central Govt. to the President, Goa Mineral Ore Exporters' Association, Ex. 48/E.

(14) Retrenchment notice issued to Shri Salvador Mergulhao, Ex. 49/E.

(15) Receipt passed on by Shri Salvador Mergulhao Ex. 50/E.

(16) Summary of accounts Ex. 51/E.

(17) Retrenchment notice dated 31-12-1968 issued to Shri Roque Cunha, Ex. 53/E.

(18) Statement showing Tonnage and Quay collected during the year 1969 towards the launch 'Sputnik', Ex. 54/E.

(19) Statement showing Tonnage and Quay collected during the year 1969 towards the Launch Lunik, Ex. 55/E.

(20) Retrenchment notice dated 31-12-1968 issued to Jose Cota, Ex. 57/E.

(21) Payments made to Mormugao Dock Labour Board by M/s. Lima Minerals Pvt. Ltd., Ex. 58 E.

(22) Certificate from the Bank of India dated 10-8-1972, Ex. 59/E.

(23) Receipt passed on to Messis. Lima Minerals Pvt. Ltd. by Shri Jose Cota, Ex. 60/E.

(24) Letter dated 3-1-1969 addressed to the Secretary to the Govt. of India, Ministry of Labour, New Delhi by M/s. Lima Leitao & Co. Ltd., Ex. 62/E.

(25) Communication dated 1-1-1969 from Lima Leitao & Co. Ltd. addressed to the Secretary to the Govt. of India, Ministry of Labour, New Delhi, Ex. 63 E.

(26) Certificate dated 2-12-1971 from RMCO, Goa Private Ltd., Ex. 64/E.

(27) Certificate of incorporation issued in favour of Lima Leitao and Company Private Limited on 5-1-1972 by the Register of Companies, Ex. 65/E.

(28) Renewal of Stevedoring Licences issued in favour of M/s. Lima Leitao & Co. Pvt. Ltd. on 29-6-72 by the Mormugao Port Trust, Ex. 66/E.

(29) Circular for Stevedoring Staff issued by Lima Leitao & Co. Ltd. on 19-7-1968 Ex. 67/E.

(30) Uniform Time Charter dated 15-1-1969 in respect of Lunik Ex. 68/E.

(31) Uniform Time Charter dated 15-1-1969 in respect of Sputnik at Ex. 69 E.

(32) Names of the employees of Lima Mineral, Ex. 70/E.

(33) Receipt passed on by certain employees at Ex. 71/E (Serial No. 1 to 14).

(34) Copy of Award dated 25-9-1971 in Ref. No. CGIT-16 of 1968 at Ex. 72/F.

(35) Certificate dated 30-11-1972 from the Bank of India, Vasco-da-Gama Branch Ex. 76/E.

(36) Statement of salary of the employee of Lima Leitao & Co. Ltd. Ex. 77 E.

(37) Handwriting of Shri Jose Cota taken in the presence of the parties in the Court, Ex. 78/E.

(38) Dissolution of partnership Ex. 80 E.

(39) Communication dated 20-4-1970, Ex. 81/E.

(40) Revaluation of Assets Ex. 82/E (collectively).

(41) Agreement of appointment of receivers, Ex. 83/E.

(42) Tonnage and Quay Dues certificates paid by Lima Minerals Pvt. Ltd in respect of Lunik and Sputnik Ex. 84/E.

Besides the above documents, the company has produced Register of Wages.

11. Points for consideration are follows:—

(i) Whether there was real closure of the business of M/s. Lima Leitao & Co. Ltd.?

(ii) Whether the retrenchment of the workmen in question is justified?

(iii) If not to what relief they are entitled?

(iv) What order?

12. My findings are as follows:—

(i) No.

(ii) No.

(iii) As mentioned in the judgement.

(iv) As per order.

REASONS

POINT NO. 1

13. M/s. Lima Leitao and Company Ltd. were carrying on Stevedoring and Launch Transport business in Mormugao

Harbour. It had two partners viz. Shri Floy Sebastiao Dias and Shri Jose Xavior Marcelino da Piedade Lima Leitao. On 31-12-1968 the assets and liabilities of this firm were determined and the partner Shri Dias retired from this firm with effect from 1-1-1969. The Continuing partner Shri Lima Leitao was to continue the business as sole proprietor. He was at liberty to continue the firm under the name of Messrs Lima Leitao & Co. He was at liberty to admit any other person or persons as partners in the continuing firm after all payments due to Shri Dias were made. These terms appear in the document Ex. 80/E.

14. Shri Rele appearing on behalf of the company contends that as one of the partner Shri Dias retired from the company, it stood dissolved automatically and that it ceased to continue its business. This contention cannot be accepted.

15. It is true that one of the partners Shri Dias retired from the company with effect from 1-1-1969 but the continuing partner carried on the business as sole proprietor. It cannot be therefore said that the firm ceased to function with effect from 1-1-1969 and that it ceased to do business.

16. List of Stevedores registered in Mormugao Dock Labour Board for the years 1969 to 1971 is produced at Ex. 9/W by Shri G. G. Valhal, Ex. 8/W, who was the Secretary of Mormugao Dock Labour Board for 2-1/2 years. In this Ex. 9/W name of Messrs. Lima Leitao & Co. P. Ltd. is mentioned at S. No. 8.

17. Lima Leitao and Company Private Limited was incorporated on 6-3-1971 under the Companies Act, 1956, vide certificate of incorporation Ex. 65/E. On 27-5-1971 Per Pro Lima Leitao & Co. Ltd. informed the Manager, Pool Office of Mormugao Dock Labour Board that as required by the Indian Company's Act, 1956 (No. 1 of 1956), the company has been registered under the following name and styles :—

'LIMA LEITAO & CO. PVT LTD.'

Registered No. 112/G of 1970-71.
The Board of Directors consists of

(i) Shri J. X. M. da Lima Leitao
Chairman and Managing Director.

(ii) Mrs. U. M. Lima Leitao
Director.

He also informed that there will be no change in business and all the assets and liabilities have been taken over vide Ex. 11/W. On 29-6-1972 the Board of trustees renewed the Stevedoring licence for the period of one year with effect from 1-1-1972 in the name of Messrs. Lima Leitao & Co. Pvt. Ltd.

18. It appears to me that the Stevedoring Licence was in the beginning in the name of Messrs. Lima Leitao & Co. Ltd. Later on, it obtained in the name of Messrs. Lima Leitao & Co. Pvt. Ltd. The circumstance that there was not to be any change in the business as mentioned in Ex. 11/W indicates that the business of Messrs. Lima Leitao & Co. Ltd. was carried on and must not have been closed.

19. Lima Minerals Pvt. Ltd. was incorporated under the Company's Act on 18-12-1968. The company's case is that Lima Minerals Pvt. Ltd. was carrying on the business of Stevedoring from 1-1-1969 and that the company i.e. Lima Leitao & Co. Ltd. ceased to carry on this business.

20. Company's witness Shri Jose Cota, Ex. 56/F says in his evidence that Lima Minerals Pvt. Ltd. paid the Dock Labour charges for stevedoring work done in the year 1969 and onwards, and that all Stevedoring work has been accounted in the books of Lima Minerals Pvt. Ltd. He has produced a statement regarding payment made to the Dock Labour Board in respect of Stevedoring work done by M/s. Lima

13, 1974/ASADHA 22, 1896

Minerals Pvt. Ltd. This statement shows the debit note issued by the Dock Labour Board and cheque Nos. issued by Lima Minerals Pvt. Ltd. in favour of the Board

21. Ex. 58/E shows the payment made to the Mormugao Dock Labour Board, account Stevedoring, by Messrs. Lima Minerals Pvt. Ltd. Mormugao in the year 1969-70.

22. Cheques for Stevedoring charges due to the Mormugao Dock Labour Board used to be issued by M/s. Lima Minerals Pvt. Ltd. M/s. Lima Minerals Pvt. Ltd. was sending the requisition for Labour in the name of Messrs. Lima Leitao & Co. Ltd. M/s. Lima Minerals Pvt. Ltd. was not a registered Stevedore. It had no licence from the Mormugao Dock Labour Board for doing stevedoring business. It was carrying on Stevedoring business by sending requisition in the name of M/s. Lima Leitao & Co. Ltd. which was a registered Stevedore.

23. Shri A. Onkarappa, Ex. 43/W, Labour Officer, Mormugao Dock Labour Board, Mormugao is working with the Board for the last about three years. He has prepared the statement for the years 1963 to 1972. He has produced the statement at Ex. 44/W. All the debits stand in the name of M/s. Lima Leitao & Co. Ltd. Mormugao Harbour.

24. Shri Valhal, Secretary of the Dock Labour Board has given evidence at Ex. 8/W. According to him, in the year 1968, there was a company registered as Stevedore in the name of Lima Leitao and Company Ltd. Office correspondence was with Messrs. Lima Leitao and Company Ltd. These letters were accepted by the company and not returned. The company mentioned at S. No. 8 as Messrs. Lima Leitao & Co. Pvt. Ltd. and the company Lima Leitao and Company Ltd. with whom the Board had correspondence is the same.

25. Shri Velhal has produced the book containing requisition slips for October 1969 II Shift. He has shown the requisition slip dated 23-10-1969. It is from M/s. Lima Leitao and Company Ltd. By this requisition slip the company wanted two gangs and two winchmen sets for discharging barges. There are many requisition slips from this company in this book.

26. Receipts Ex. 13/F (1) to (11) pertain to the amount received from M/s. Lima Leitao & Co. Ltd.

27. Documents Ex. 14/E and 15/F are office orders issued by the Dy. Chairman, Dock Labour Board. These orders were sent to Messrs. Lima Leitao & Co. Pvt. Ltd. Exhibits 16/E and 17/E are in connection with the complaints given by Messrs. Lima Leitao & Co. Pvt. Ltd.

28. Witness Shri Iacio Valentino Araujo, Ex. 23/W is a Clerk in the Dock Labour Board for the last ten years. He has produced documents as mentioned in the list. He has produced Tally Sheets and debit notes and covering letters.

29. Debit Notes Ex. 27/W (1) to (24) show that all these notes were in the name of M/s. Lima Leitao & Co. Ltd. Mormugao Harbour during the years 1968 to 1971.

30. Covering letters Ex. 28/W to 40/W show that cheques were issued by Lima Minerals Pvt. Ltd. payable to Mormugao Dock Labour Board and these cheques were credited in the name of M/s. Lima Leitao & Co. Ltd.

31. From the documents referred to above and the evidence of Shri Velhal, Shri Onkarappa, it is clear that all accounts debit and credit notes etc., were in the name of the company with the Dock Labour Board and for some years in the name of M/s. Lima Leitao & Co. Pvt. Ltd.

32. Mormugao Dock Labour Board had no account of M/s. Lima Minerals Pvt. Ltd. It therefore appears to me that the Stevedoring business of M/s. Lima Leitao & Co. Ltd. was continued in this name by Messrs. Lima Minerals Pvt. Ltd. Messrs. Lima Minerals Pvt. Ltd. have no licence for doing Stevedoring business.

33. Shri Jose Cota, Ex. 56/E says in his evidence that the Directors of M/s. Lima Minerals Pvt. Ltd. were (before

the death of Shri Lima) Shri and Smt. Lima Leitao. The same persons were the Directors of M/s. Lima Leitao & Co. Pvt. Ltd. This circumstance indicates that the Stevedoring business carried on the licence of M/s. Lima Leitao and Co. Pvt. Ltd. by M/s. Lima Minerals Pvt. Ltd. is the continuance of the business of the company.

34. Shri Rele for the company contends that circumstance that M/s. Lima Minerals Pvt. Ltd. is doing the Stevedoring business on the licence of M/s. Lima Leitao & Co. Pvt. Ltd. or M/s. Lima Leitao and Co. Ltd. will not necessarily show that the business of M/s. Lima Leitao and Co. Ltd. is continuing. If M/s. Lima Minerals Pvt. Ltd. is making use of licence for carrying on the Stevedoring business, it is a different thing. I am unable to accept this argument.

35. The circumstance that all accounting with the Dock Labour Board is in the name of the company i.e. Messrs. Lima Leitao & Co. Ltd. or Messrs. Lima Leitao & Co. Pvt. Ltd. indicates that the business of the company is continuing by the same parties.

36. Shri Rele contends :

- (1) no business was done by Messrs. Lima Leitao & Co. Ltd. but the same was done by M/s. Lima Minerals Pvt. Ltd. as the business of M/s. Lima Leitao & Co. Ltd. was closed and because there was dissolution of the firm,
- (2) no business was done and accounted for in the name of M/s. Lima Leitao & Co. Ltd.,
- (3) the services of all the workmen were terminated,
- (4) Provident fund was received by the workmen after their services were terminated,
- (5) one of the partners did not do any business after 31-12-1968,
- (6) last balance-sheet of the company is of 31-12-1968,
- (7) last income-tax assessment of the company is of 31-12-1968, and
- (8) accounts between the partners were closed as on 31-12-1968.

37. As the services of all the workmen were terminated their Provident Fund had to be returned. As their services were terminated there was no question of continuing the provident fund in their name. As the business is transacted by M/s. Lima Minerals Pvt. Ltd. keeping accounts in its name, in their account books and not in the name of M/s. Lima Leitao and Co. Ltd. there could not be any balance-sheet or income-tax assessment of M/s. Lima Leitao & Co. Ltd. after 31-12-1968. One of the partners Shri Dias did not do any business after 31-12-1968 because he retired. In my opinion on the basis of all the facts referred to above by Shri Rele on the basis of the evidence adduced by the company before me, it cannot be said that M/s. Lima Leitao and Company Ltd. had closed its Stevedoring business on 31-12-1968.

38. Shri Sowani for the Union contends that there was no real closure of business, that Stevedoring and launch Transport activities continued even after 31-12-1968, that indenting of labour from the Mormugao Dock Labour Board continued upto 27-5-1971, that thereafter it communicated the Mormugao Dock Labour Board the change in the name from Messrs. Lima Leitao and Co. Ltd. to Messrs. Lima Leitao and Company Pvt. Ltd. that though cheques were issued by M/s. Lima Minerals Pvt. Ltd. the receipts were issued by the Dock Labour Board in the name of M/s. Lima Leitao and Co. Ltd. and that the launches continued in the name of M/s. Lima Leitao and Co. Ltd.

39. From the evidence of Shri Velhal Ex. 8/W and the various documents produced in his evidence. Shri Iacio Valentino Araujo, Ex. 23/W and the documents produced in his evidence and Shri Onkarappa, Ex. 43/W and documents produced in his evidence, I find that there was no real closure of the business of Stevedoring by M/s. Lima Leitao and Co. Ltd.

40. The evidence of Shri Morgulhao, Ex. 45/E showing that the business was closed on account of losses incurred in the business is difficult to accept. Smt. Urminda Lima Leitao, Ex. 61/E says that the business was closed down but the documents showing the transactions with the Dock Labour Board in the name of M/s. Lima Leitao & Co. Ltd. indicate that the Stevedoring business was continued.

41. Shri John Fernandes, Ex. 4/W was working as Tally Clerk in the company. According to him, the company has got two launches. The company is still operating these two launches. About 5-6 employees are required to man a launch.

42. Shri Gurudas Kusta Naik, Ex. 20/W was working as a Driver on Motor Launch Sputnik. His evidence shows that he had seen the Motor Launch Sputnik plying at Major Bunder and that one of the old employees Shri Laxman is taken on this launch.

43. Shri Dinanath Shanker Kenkare, Ex. 22/W is the Asstt. Accounts Officer, in the office of the Captain of Ports, Panaji. His evidence shows that the two launches Sputnik and Lunik are in the name of Lima Leitao and Co. Ltd. since the date of registration till today.

44. From the evidence referred to above the two launches Sputnik and Lunik are still standing in the name of the company.

45. The company contends that the launch Transport business was also closed.

46. Roque Cunha, Ex. 52/E states on oath that in January 1969 the launches were lying idle, that if the launches were in use, wharf and quay charges are required to be paid to Mormugao Port Trust. According to him, Lunik met with an accident and sunk, it was not in use in 1969. Sputnik was given on charter to Mario Lima Leitao, who is the brother of Lima Leitao. Sputnik was used by Lima Minerals Pvt. Ltd. for transporting labour from Dock/vessel and back, and charges for this were paid to Shri Mario by Lima Minerals Pvt. Ltd. which were recovered from Emco for whom the work was done.

47. Statement Ex. 55/E shows the Tonnage and Quay dues collected during the year 1969 towards the Launch Lunik. It appears from this statement that this launch was out of commission from 5th to 31st January 1969. It was also out of commission from February 1969 to December 1969. It seems that Lunik was not plying during the year 1969. As regards Sputnik it appears from the statement Ex. 54/E that it was out of commission in January and February 1969 and did work for some time from March 1969 onwards.

48. Smt. Urminda Lima Leitao, Ex. 61/E says that Shri Lima took launches when the assets were divided between two parties. Both launches were given to Shri Mario Lima Leitao. She has produced Charter agreement in respect of these two launches at Ex. 68/E and 69/F. She states that Lunik met with an accident. It was under repair for the year 1969. Sputnik did not work for two months i.e. January and February 1969. When it started working Lima Minerals Pvt. Ltd. used it by paying the hire charges for use of the launch to Shri Mario Lima Leitao.

49. Chartered Accountant Shri Kamat has issued certificate Ex. 47/ showing that the Launches Section of M/s. Lima Leitao and Co. Mormugao has incurred a loss of Rs. 14,268.53 during the year ended 31-12-1968. He has also issued certificate dated 23-4-1969 showing the losses incurred by the Launches during the years from 1963 to 1967.

50. On 31-12-1968, the Director, M/s. Lima Leitao & Co. Ltd. give notice Ex. 41/F to the Dy. Captain of Ports, Mormugao Harbour, saying that Motor Boat Sputnik was running into recurring losses for the last five years and more and that he intended laying up the same as from 31-12-1968. He requested to cancel the crew roll as from the date mentioned above. He also gave notice Ex. 42/E in respect of Motor Boat Lunik to the Dy. Captain of Port and requested him to cancel the crew roll.

51. It may be that launch transport business may be running into losses but it cannot be said from the evidence on record that the launches ceased to operate. They were operating now and then. It cannot be therefore said that launch transport business was closed.

52. In short, considering the evidence of six witness examined on behalf of the workman, documentary evidence and the four witnesses of the company and the documents produced by them alongwith circumstances brought on record, I find that there was no real closure of business. Hence my finding on point No. i is as above.

Point No. ii

53. In the present case the company gave notice to all the employees mentioned in the schedule and retrenched them on the ground that the company was not having any business i.e. running into losses.

54. The company can retrench the employees provided provisions of Section 25F of the I.D. Act are complied with. The evidence of Smt. Urminda Lima Leitao, Ex. 61/E shows that on termination of services, compensation and other benefits were given to each employee, and that each employee has been given compensation under Sec. 25FFF read with Section 25F.

55. In the present case, as there was no real closure of business, the termination of services of the employees would amount to retrenchment under Section 25F of the I.D. Act, 1947. Hence provisions of Section 25F of the I.D. Act had to be complied with.

56. It appears that in the present case the retrenchment compensation was not paid on 31-12-1968 but it was paid later on, vide Register of Wages.

57. It is contended on behalf of the employees that they were paid gratuity and not compensation. The company on the other hand contends that there was no scheme under which the employees were entitled to gratuity at the time of retirement and that no gratuity was paid to them.

58. Shri Jose Cota, Ex. 56/F. says in his cross-examination as follows :—

"Witness is shown page marked '1' by the Tribunal, the word compensation has been written by me after erasing the word Gratuity. This was done under the instructions of Shri Morgulhao. The whole of the heading is written, erasing the earlier heading. I do not recollect what the other erased words were there."

Col. 11 the words compensation due month have been written after erasing the earlier writings. The word compensation has been written after erasing the words gratuity.

I am shown page 6 and the portion marked 'X' on it. I did not see any writing on this marked portion. It is true that the writing on this marked portion has been erased. This register was handled by Shri Morgulhao and myself. I have not erased the writing in the marked portion 'X' on page No. 6."

59. Shri Salvador Morgulhao, Ex. 45/E says in his cross-examination as follows :—

"I am shown the entries in the Register of Wages on pages marked 1 to 6. At the time of signing the Register, the word compensation for general heading and compensation due/month were there. I say that the earlier words have been erased and compensation has been written in that place. This was done by my assistant Shri Jose Cota under my instructions.

It is true that it appears that something was written on the portion on page 6 marked 'X' but it appears to be erased. I do not know who erased this portion."

60. According to Shri Morgulhao, Ex. 45/E there was no gratuity scheme in the company from 1957 to 1968, gratuity was not paid to any employees during this period. I am shown register of wages. There are three pages in the register with heading 'The compensation paid to employees upto 31-12-1968....."

"On 1-1-1969 when I went to Shri Dias he gave me a slip of paper mentioning gratuity and he had asked me to calculate on the basis of 15 days salary per year of service put in by employees for which paid to them. Accordingly I worked out the amount paid to each employee I asked my Assistant Shri Jose Cota to enter it on the register of wages. On having done so and after verifying by me, I placed the book before Shri Lima as per practice. When he went through the book he told me that the heading was wrong and correct heading should be compensation. Accordingly I asked my assistant to change the heading from gratuity into compensation on Wage Book. This was done on 3rd or 4th Jan. 1969 before payments were actually made."

61. It appears to me from the evidence of the two witness that through some misunderstanding the word gratuity was written but later on, the same was corrected as the intention was to pay compensation on the basis of 15 days salary per year of service. Hence no blame can be attributed to the company and its employees for making correction in the register erasing the word gratuity and writing the word compensation. If the employees would have been entitled to gratuity under any provisions of the law or on the basis of written agreement, the matter would have been different. I therefore hold that compensation was paid to the employees and not gratuity.

62. As the compensation and notice pay were not paid on the date of retrenchment, the retrenchment of the employees in question is invalid and not justified. Hence my finding on point No. ii is as above.

Point No. iii

63. As the retrenchment of the employees is not justified they are entitled to reinstatement or compensation.

64. In the present case I find from the facts and circumstances on record that the reinstatement would not be proper.

65. As the employees are not to be given reinstatement, they have to be paid compensation in lieu of reinstatement.

66. While considering the amount of compensation it is necessary to consider some of the important facts in this case.

67. On 23-12-1968 there was settlement between the Union on behalf of the employees and the company in respect of payment of D.A. and interim relief on the basis of Wage Board recommendations. By this settlement bonus was also agreed to be paid at the rate of 4 per cent for the years from 1963 onwards. This settlement was implemented and all the payments were made to the employees.

68. On retrenchment of the employees, notice pay and retrenchment compensation were paid to the employees but the same was not paid on 31-12-1968 but later on within a few days. Taking all these facts into consideration I am of the view that three months wages in lieu of reinstatement should be given to the employees mentioned in the Schedule except S/shri S. Morgulhao, and Menino Aphonso and those who are employed by M/s. Lima Leitao and Co. Pvt. Ltd. or M/s. Lima Minerals Pvt. Ltd.

69. I therefore hold that the employees in this reference are entitled to relief as mentioned above.

Point No. iv

70. In view of the above findings I pass the following order :—

ORDER

(i) It is hereby declared that the action of the management of Messrs. Lima Leitao and Company Limited,

Vasco-da-Gama in retrenching the workmen mentioned in the Schedule above with effect from 31-12-1968 and 1-1-1969 is not justified and that each employee except Shri S. Mergulhao and Shri Menino Aphonso and those who are employed either in M/s. Lima Leitao and Co. Pvt. Ltd. or M/s. Lima Minerals Pvt. Ltd. should be given three months wages in lieu of reinstatement.

(ii) Award is made accordingly.

(iii) Parties to bear their own costs.

[No. 29/39/69-IWI-III/P&D/LR-III]

N. K. VANI, Presiding Officer,
Central Government Industrial Tribunal No 2,
Bombay.

New Delhi, the 4th July, 1974

S.O. 1767.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Industrial Tribunal, Rajasthan, Jaipur, in the industrial dispute between the employers in relation to the management of Messrs Bikaner Gypsum Limited, Bikaner and their workmen, which was received by the Central Government on the 21st June, 1974.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
RAJASTHAN, JAIPUR

PRESENT :

Shri Updesh Narain Mathur, Presiding Officer.

Case No. CIT-7 of 1968

Ref:—Government of India, Ministry of Labour & Employment Order No. 24/16/68-LR dated the 30th August, 1968.

In the matter of an Industrial Dispute

BETWEEN

The employers in relation to the management of Messrs: Bikaner Gypsum Limited, Bikaner.

AND

Rashtriya Gypsum Karamchai Sangh, Jamsar.

APPEARANCES:

For the management None

For the Sangh None.

Date of Award 20-4-74.

AWARD

The Central Government has made the following reference to this Tribunal:—

“Whether the management of Messrs. Bikaner Gypsum Limited, Bikaner, was justified in laying off the 14 workmen, mentioned below, employed in their Jamsar and Dhirera Mines in the manner and from the dated noted against each. If not, to what relief are the workmen entitled?”

S. N. Name of the Mine.	Name of the workmen.	Manner of Lay off	Date of commencement of Lay off.
1. Jmar	Shri B. S. Bedi, Jr. Apprentice Engineer,	with compensation.	24-10-1967.
2. Jamar	Shri A. K. Biswas, Apprentice	—do—	24-10-1967
3. —do—	Shri P. K. Bose, Apprentice	—do—	24-10-1967
4. —do—	Shri S. Bose, Apprentice	—do—	24-10-1967
5. —do—	Shri A. Ghose, Apprentice(Survey)	—do—	24-10-1967.
6. —do—	Shri Rampal, Carpenter	—do—	25-12-1967.
7. —do—	Shri Dhania, Mate	—do—	25-12-1967
8. —do—	Shri Gordhan, Mate	—do—	25-12-1967.
9. Dhirera	Shri Bera Ram, Driver	—do—	29-10-1967. 8-12-1967.
10. —do—	Shri Gurmit Singh, Driver	—do—	29-10-1967.
11. —do—	Shri P. R. Mazumdar, Supervisor	—do—	23-12-1967.
12. —do—	Shri Mool Chand Dresser	—do—	15-11-1967.
13. —do—	Shri Kesan Ram, Generator operator	—do—	18-11-1967. 29-11-1967. 6-12-1967.
14. —do—	Shri Chotu Khan, Helper 3054	—do—	18-11-1967.

The statement of claim was filed by Rashtriya Gypsum Karamchai Sangh. An application was later on filed on behalf of Gypsum Mine Workers Union with a request to implead them as party in the reference. This application was accepted and the Union was made a party, but no separate statement of claim was filed on behalf of this Union.

The claim of the Sangh is that the management of the Bikaner Gypsum Ltd., Bikaner was absolutely unjustified in laying off 14 workmen and further that even though the strike was called off on 21-10-67, the lay-off of these workmen continued.

In reply to this claim the management pleaded that the matter of contractor's workmen was under negotiation between the contractors and their workmen. Conciliation proceedings were being held by the Regional Labour Commissioner but in the mean time the Gypsum Mine Workers Union called on an illegal strike. As a result of this strike and obstruction created at the instance of the Union, loading came to a virtual standstill and the management suffered a great deal on this account. It is further contended that as the loading was not possible, accumulation of stocks took place at Jamsar sidings. Further the mining of Gypsum was completely dislocated and normal work was not possible and the management had to lay-off the least number of workmen. Further that inspite of the fact that the strike was called off with effect from 21-10-67 the reasons for lay-off continued. The management was, therefore, justified in laying off the 14 workmen.

In support of the claim one Dilbag Singh, Vice President of the Sangh put in his affidavit. He was cross examined on behalf of the management.

In the cross examination Dilbag Singh admitted that the material accumulated at the siding due to the strike of the contractor's workmen. He further admitted that even after the call off the strike huge stock of material continue to accumulate.

In rebuttal the management filed the affidavit of Shri A. K. Mukherji, Personnel Manager of the Company but he was not cross examined by the Sangh or the Union.

I have looked into the pleadings and the evidence and find that the Sangh and the Union have failed to establish their claim. The sole statement of Dilbag Singh does not prove that the action of the management in laying off 14 workmen was unjustified or illegal. It may further be noted that the Sangh stopped taking interest in this matter and did not attend the hearing since 21-8-1971. In view of these insufficient evidence on record I am not convinced to hold that the action of the management in laying off 14 workmen was unjustified or illegal. The result is that a no dispute award is passed.

U. N. MATHUR, Presiding Officer.
Central Govt. Industrial Tribunal, Rajasthan,
JAIPUR.

[No. 24/16/68/LRI/LR IV. Pt]

S.O. 1768.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 2), Dhanbad, in the industrial dispute between the employers in relation to the management of Eastern Manganese and Minerals Limited, Post Office Domchanch, District Hazaribagh, and their workmen, which was received by the Central Government on the 26th June, 1974.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESFNT:

Shri K. K. Sarkar, Judge, Presiding Officer.

REFERENCE NO. 4 OF 1974.

In the matter of an industrial dispute u/s 10(1)(d) of the Industrial Disputes Act, 1947.

PARTIES: Employers in relation to the management of Eastern Manganese and Minerals Limited, Post Office Domchanch, District Hazaribagh.

AND

Their workmen.

APPEARANCES:

On behalf of the employers: None.

On behalf of the workmen: None.

State: Bihar Industry: Manganese.

Dhanbad, 19th June, 1974.

AWARD

The Government of India, Ministry of Labour is of opinion that an industrial dispute exists between the management of Eastern Manganese and Minerals Limited, Post Office Domchanch, District Hazaribagh and their workmen. Accordingly, by their order No. I-27011(8)/73-LRIV dated 4-1-74 they referred the same to this Tribunal u/s 10(1)(d) of the I.D. Act, 1947 for adjudication upon the issue as mentioned in the schedule below:

SCHEDULE

"Whether the workmen employed by Messrs Eastern Manganese and Minerals Limited, Post office Domchanch, District Hazaribagh are entitled to bonus at the rate of 20 per cent of earned wages during the accounting year commencing in 1971? If not to what quantum of bonus are the workmen entitled for the above mentioned accounting year?"

After receipt of the order of reference notices were duly issued to and served on the parties. Chances were given one after another to the parties to file their written statements in respect of the industrial dispute in question. It appears that at the initial stage one Shri P. N. Sarkar, Member, Executive Committee, Metalliferous Mine Workers Association appeared and prayed for time for filing written statement. Time was allowed by this Court for the purpose. Thereafter both sides failed to appear and take any steps on several occasions when the case was fixed for the purpose. On 7-5-74 the Court by its order alerted parties that in default of their taking steps as directed by the Court, the case will be disposed of according to law on the next date fixed. Still then on the next date fixed for the purpose i.e. on 6-6-74 none of the parties appeared and took any steps. This continued default on the part of the both the management and the workmen leads me to believe that they are no longer interested to prosecute the case as some sort of settlement must have been arrived at between them out of Court. In view of the above I am led to believe that no industrial dispute exists any more between the parties. Accordingly, this reference is disposed of on a 'No dispute' award.

K. K. SARKAR, Presiding Officer,
Central Govt. Industrial Tribunal
(No. 2) Dhanbad.

[No. L-27011/8/73-LR. IV]

P. R. NAYAR, Under Secy.

नई दिल्ली, 17 जून, 1974

का० आ० 1769.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और कुटुम्ब पेशन निधि अधिनियम, 1952 (1952 का 19) की धारा 13 की उपधारा (1) द्वारा प्रदत्त शक्तिया का प्रयोग करने हुए और भारत सरकार के भूत्युक्त श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना स० का० आ० 3799, तारीख 10 मितम्बर, 1969 को अधिकार करने हए श्री टी० गोमर का उक्त अधिनियम, स्कॉम और उसके अधीन विवरित किसी कुटुम्ब पेशन स्कॉम के प्रयोगों के लिए केन्द्रीय सरकार के या उसके नियतान्धीन किसी स्थापन के संबंध में या किसी रेत कम्पनी, महापान, खान या तेल धोत या नियान्त्रित उद्योग से संबंधित किसी स्थापन के भवन्धन में या किसी ऐसे स्थापन के संबंध में जिसके पास से अधिक राज्य में विभाग या शाखाएँ हों, मम्पूर्ण कर्तात्क राज्य के लिए निर्वाक नियुक्त करती है।

[म० ए-12016(6)/72-पी०एफ I]

New Delhi, the 17th June, 1974

S.O. 1769.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3799 dated 10th September, 1969, Central Government hereby appoints Shri T. Gomer to be an Inspector for the whole of the State of Karnataka for the purposes of the said Act, and the scheme and the family pension scheme framed thereunder in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry or in relation to an establishment having departments or branches in more than one State.

[No. A-12016/6/72-PF-1]

नई दिल्ली, 27 जून, 1974

का० आ० 1770.—यत्. केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (ग) के प्रत्युत्तरण में श्री ए० के० सेन, संयुक्त सचिव, भारत सरकार, वित्त मंत्रालय (व्यव विभाग) दो श्री टी० श्री० प्रभु के स्थान पर कर्मचारी राज्य बीमा निगम के मध्यम के लिए मनोनित किया है;

अतः, अब, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के प्रत्युत्तरण में केन्द्रीय सरकार एन्ड्ड्राग्र भारत सरकार के भूत्युक्त श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संभवा का० आ० 2763 तारीख 27 मई, 1971 में और आगे निम्नलिखित मानोधन करती है, अर्थात्:—

उक्त अधिसूचना में “(केन्द्रीय सरकार द्वारा धारा 4 के खण्ड (ग) के अधीन नामनिविष्ट)” शीर्षक के नीचे मद्द 6 के मामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि प्रतिस्थापित की जायेगी, अर्थात्:—

“श्री ए० के० सेन, संयुक्त सचिव भारत सरकार, वित्त मंत्रालय (व्यव विभाग)”

[का० म० य०-16012(6)/74-एच०आई]

New Delhi, the 27th June, 1974

S.O. 1770.—Whereas the Central Government has in pursuance of clause (c) of section 4 of the Employees State Insurance Act, 1948 (34 of 1948), nominated Shri A. K. Sen, Joint Secretary to the Government of India in the Ministry of Finance (Department of Expenditure) as a

member of the Employees State Insurance Corporation, in place of Shri T. V. Prabhu.

Now, therefore in pursuance of section 4 of the Employees State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S. O. 2763, dated the 27th May, 1971, namely :—

In the said notification, under heading “(Nominated by the Central Government under clause (c) of section 4) for the entry against item 6, the following entry shall be substituted, namely :—

“Shri A. K. Sen, Joint Secretary to the Government of India, Ministry of Finance, (Department of Expenditure)”—

[F. No. U-16012/6/74-HI]

नई दिल्ली, 1 जुलाई, 1974

का० आ० 1771.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 8 के प्रत्युत्तरण में और भारत सरकार के भूत्युक्त श्रम और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संभवा का० आ० 3910, तारीख 17 मितम्बर, 1971 को अधिकार करते हए, कर्मचारी राज्य बीमा निगम की स्थायी समिति का गठन करती है, जिसमें निम्नलिखित मदस्य होंगे, अर्थात्:—

(केन्द्रीय सरकार द्वारा धारा 8 के खण्ड (क) के अधीन नाम निर्देशित)

प्रध्यक्ष

1. वाल गोविन्द बर्मा, उग मत्री, श्रम मंत्रालय, भारत सरकार, नई दिल्ली।

सदस्य

(केन्द्रीय सरकार द्वारा धारा 8 के खण्ड (ख) के अधीन नामनिर्देशित)

2. श्री पी० एम० नायक, सचिव, भारत सरकार, श्रम मंत्रालय, नई दिल्ली।

3. श्री जे० श्री० श्रीवास्तव, महानिवेशक, स्वास्थ्य सेवा, भारत सरकार
4. श्री ए० के० सेन, संयुक्त सचिव, भारत सरकार, वित्त मंत्रालय, (व्यव विभाग), नई दिल्ली।

(धारा 8 के खण्ड (ख ख) के अधीन तीन राज्य सरकारों का प्रतिनिधित्व करने वाले निगम के सदस्य)

5. महाराष्ट्र राज्य का प्रतिनिधित्व करने वाला निगम का सदस्य
6. पश्चिमी बंगाल सरकार का प्रतिनिधित्व करने वाला निगम का सदस्य

7. कर्नाटक सरकार का प्रतिनिधित्व करने वाला निगम का सदस्य (धारा 8 के खण्ड (ग) के उपखण्ड (ii) के अधीन निगम द्वारा निर्वाचित)

8. श्री आर० एन० जोधी, मेमसी लक्ष्मी विल्यु काटन मिल्स लिमिटेड, 199, चर्चगेट रिक्लेमेशन, मुम्बई-20 भी आर

9. प्रा० बी० श्री० कामथ, ‘हीरा’ महल, 171 शिवाजी, पार्क रोड न० 5, मुम्बई-16

10. श्री पी० छेन्टगल राथ, अपर महा सचिव, अधिकाल भारतीय नियांजक परिसंघ संगठन हाऊस, तानसेन मार्ग, नई दिल्ली।

(धारा 8 के खण्ड (ग) के उपखण्ड (iii) के अधीन निगम द्वारा निर्वाचित)

11. श्री टी० एन० मिशान्न, सचिव, अधिकार भारतीय व्यापार संघ काग्रेस, 24, केनिंग लेन, नई दिल्ली-1

12. श्री राम देसाई, सचिव, हिन्दू मजदूर सभा, नागिनदाम चैम्बर्स, 167, पी० जी० मेल्लो रोड, मुम्बई-1

13. श्री विष्णु बनर्जी, प्रधान, शाई एम टी यू सी-बंगल कांच, 177/ बी, प्रचार्य जगदीश बोस रोड, कलकत्ता-14

(धारा 8 के खण्ड (ग) के उपखण्ड (IV) के अधीन निगम द्वारा निर्वाचित)

14. डा० जे, मजुम्दार, पी०-5, न्यू सी० श्राई० टी० रोड, कलकत्ता-14

(धारा 8 के उपखण्ड (ग) के उपखण्ड (V) के अधीन निगम द्वारा निर्वाचित)

15. श्री राजकुलर्णी, एम० पी० (लोक सभा सदस्य), 19, जनपथ, नई दिल्ली -1

(स्थायी पता : दन्दिरा कॉम्पोरेटिव केलुफ्कर रोड, शिवाजी बिल्डिंग पार्क, मुम्बई-28)

(धारा 8 के खण्ड (घ) के अधीन पदेन सदस्य)

16. महानिवेशक, कर्मचारी राज्य बीमा निगम, नई दिल्ली।”।

[फा० सं० यू०-16012/18/73-एच श्राई]

लालफक जुआला, अवर सचिव

New Delhi, the 1st July, 1974

S.O. 1771.—In pursuance of section 8 of the Employees State Insurance Act, 1948 (34 of 1948) and in supersession of the notification of the Government of India in the Late Ministry of Labour and Rehabilitation (Department of Labour and Employment) No. S. O. 3910, dated the 17th September, 1971, the Central Government hereby constitutes the Standing Committee of the Employees State Insurance Corporation, consisting of the following members namely :—

(Nominated by the Central Government under clause (a) of section 8)

CHAIRMAN

1. Shri Bal Govind Verma, Deputy Minister in the Ministry of Labour Government of India, New Delhi.

MEMBERS

(Nominated by the Central Government under clause (b) of section 8)

2. Shri P. M. Nayak, Secretary to the Government of India, Ministry of Labour, New Delhi.

3. Shri J. B. Srivastav, Director General of Health Services, Government of India.

4. Shri A. K. Sen, Joint Secretary to the Government of India, Ministry of Finance, (Department of Expenditure), New Delhi.

(Members of the Corporation representing the three state Governments under clause (bb) of section 8)

5. the member of the Corporation representing the Government of Maharashtra.

6. The member of the Corporation representing the Government of West Bengal.

7. The member of the Corporation representing the Government of Karnataka.

(Elected by the Corporation under sub-clause (II) of clause (c) of section 8)

8. Shri R. N. Joshi, Messrs Lakshmi-Vishnu Cotton Mills Limited, 199, Churchgate Reclamation, Bombay-20-BR.

9. Prof. V. B. Kamath, 'Hira' Mahal, 171, Shibaji Park, Road No. 5, Bombay-16.

10. Shri P. Chentsal Rao, Additional Secretary General, All India Organisation of Employes, Federation House, Tansen Marg, New Delhi.

(Elected by the Corporation under sub-clause (III) of clause (c) of section 8)

11. Shri T. N. Sidhanta, Secretary, All India Trade union Congress 24, Canning Lane, New Delhi-1.

12. Shri Ram Desai, Secretary, Hind Mazdoor Sabha, Nagindas Chamber, 167, P. D. Mello Road, Bombay-1.

13. Shri Bishnu Banerjee, President, INTUC-Bengal Branch, 177/B, Acharya Jagdish Bose Road, Calcutta-14.

(Elected by the Corporation under sub-clause (IV) of clause (c) of section 8)

14. Dr. J. Majumdar, F-5, New C. I. T. Road, Calcutta-14.

(Elected by the Corporation under sub-clause (V) of clause (c) of section 8)

15. Shri Raja Kulkarni, M. P. (Member of Lok Sabha), 19(Janpath, New Delhi-1.

(Permanent Address : Indira Co-operative Kelufkar Road, Shivaji Building Park, Bombay-28

(Ex-officio member under clause (d) of section 8)

16. The Director, General, Employees State Insurance Corporation, New Delhi."

[F. No. U-16012/18/73-HI]

LALFAK ZUALA, Under Secy.

ग्रावेस

नई दिल्ली, 6 जून, 1974

का० आ० 1772.—यह: केन्द्रीय सरकार की राय है कि इससे उपायद अनुसूची में विनिश्चित विषयों के बारे में युनाइटेड कमर्शियल बैंक के प्रबन्धनात्मक से संबंध नियोजकों और उनके कर्मकारों के बीच एक आधोगिक विवाद विद्यमान है ;

और, यह: केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णय के लिए निर्देशित करना चाहीय समझती है ;

अतः अब, आधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क, और धारा 10 की उपधारा (1) के खण्ड (घ), धारा प्रदत्त ग्राहियों का प्रयोग करते हुए, केन्द्रीय सरकार एवं द्वारा एक आधोगिक अधिकारण गठित करती है, जिसके पीठासीन अधिकारी श्री उपदेश नारायण माथुर होंगे जिनका मुख्यालय जयपुर होगा और उक्त विवाद को उक्त आधोगिक अधिकारण को न्यायनिर्णय के लिए निर्देशित करती है ।

प्रमुख

“क्या श्री एम० एन० ओमा का 9 जून, 1970 से 31 दिसम्बर, 1970 तक 8 करबरी, 1971 से 15 मार्च, 1971 की अवधि के लिए विशेष सहायक भत्ता के संदर्भ का दावा न्यायोचित है ? यदि नहीं, तो वह 9 दिसम्बर, 1968 से प्रवृत्त प्रोफेसनल मीटिंग के आधार पर किस अनुसूची के दृष्टिकोण से ?”

[संख्या एल० 12012/3/74/श्राई० श्राई० III]

ORDER

New Delhi, the 6th June, 1974

S.O. 1772.—Whereas the Central Government is of opinion that an industrial Dispute exists between the employers in relation to the United Commercial Bank and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Updesh Narain Mathur shall be the Presiding Officer, with headquarters at Jaipur and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the claim of Shri N. L. Ojha for payment of special assistant's allowance for the period from the 9th June, 1970 to 31st December, 1970 and from the 8th February 1971 to 15th March, 1971 is justified? if not to what relief is he entitled in terms of the Promotion Policy in force from the 9th December, 1968?"

[No. L. 12012/3/74/LRIII]

आवेदन

नई दिल्ली, 7 जून, 1974

का० प्रा० 1773.—यतः केन्द्रीय सरकार की राय है कि इससे उपायद मनुस्थी में विनिविष्ट विषयों के बारे में श्री चांद लां की बुधपुरा बलुआ पत्थर खान डाकघर बुधपुरा, जिला बूती, के प्रबन्धनतंत्र से संबंधित नियोजकों और उनके कर्मकारों के बीच एक श्रीद्वयिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णय के लिए निर्देशित करना चाहनीय समझती है;

अतः, अब श्रीद्वयिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के बाण्ड (ष) धारा प्रदत्त शर्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित श्रीद्वयिक अधिकरण, जबलपुर को न्यायनिर्णय के लिए निर्देशित करती है।

अनुसूची

क्या श्री चांद लां की बुधपुरा बलुआ पत्थर खान, डाकघर बुधपुरा, जिला बूती (राजस्थान) में नियोजित कर्मकारों की, 1965-66, 1966-67, 1967-68, 1968-69, 1969-70, और 1970-71 के लेखा वर्षों के लिए, मजदूरी के 20 प्रतिशत की दर से बोनस की मांग न्यायोचित है? यदि नहीं, तो कर्मकार इन वर्षों में से प्रत्येक वर्ष के लिए बोनस की किम प्रमाणाके हक्कार है?

[मंज्या एल-29011/13/74-एल० आर०-4]

ORDER

New Delhi, the 7th June, 1974

S.O. 1773.—Whereas the Central Government is of opinion that an industrial Dispute exists between the employers in relation to the management of Budhpura Sand Stone Mine of Shri Chand Khan, Post Office Budhpura, District Bundi and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Jabalpur, constituted under section 7A of the said Act.

SCHEDULE

Whether the demand of the workmen employed in Budhpura Sand Stone Mine of Shri Chand Khan, Post Office Budhpura, District Bundi (Rajasthan) for payment of Bonus @ 20 per cent of wages for the Accounting Years 1965-66, 1966-67, 1967-68, 1968-69, 1969-70 and 1970-71 is justified? If not, to what quantum of Bonus are the workmen entitled for each of these years?

[No. L-29011/13/74-LR. IV]

आवेदन

नई दिल्ली, 10 जून, 1974

का० प्रा० 1774.—यतः केन्द्रीय सरकार की राय है कि इससे उपायद मनुस्थी में विनिविष्ट विषयों के बारे में, मैसर्स इण्डियन आइरन एण्ड स्टील कम्पनी लिमिटेड की गुप्ता और माइन के टेकेवार मैसर्स एम०एम० ओप एण्ड सन्स, डाकघर गुप्ता, जिला सिहभूम के प्रबन्ध से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक श्रीद्वयिक विवाद विद्यमान है।

प्रौद्योगिक विवाद को न्यायनिर्णय के लिये निर्देशित करना चाहनीय समझती है;

अतः, अब, श्रीद्वयिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के बाण्ड (ष) धारा प्रदत्त शर्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की 7-क के अधीन गठित केन्द्रीय सरकार श्रीद्वयिक अधिकरण (संख्या 2), धनबाद को न्यायनिर्णय के लिये निर्देशित करती है।

अनुसूची

"विनाक 26 अप्रैल, 1973 के लिप्तीय समझौते की शर्त संख्या 3 को ध्यान में रखते हुए, क्या मैसर्स इण्डियन आइरन एण्ड स्टील कम्पनी लिमिटेड की गुप्ता और माइन के टेकेवार, मैसर्स एम०एम० एम० ओप एण्ड सन्स, डाकघर गुप्ता, जिला मिहभूम द्वारा उनके अधीन नियोजित दूक लोडरों को उपरोक्त समझौते की शर्त संख्या 5(2), 6, 7 और 12 के अनुसरण में क्रमशः 1.25 रुपये प्रति टन की दर से भुगताई भत्ता, परिष्ठर्त महंगाई भत्ता 1.92 रुपये प्रति टन की दर से भुगताई भत्ता, परिष्ठर्त महंगाई भत्ता 15 रुपये प्रति माह खाद्याल भत्ता देने से इनकार करना न्यायोचित था? यदि नहीं, तो संबंधित कर्मकार किम अनुनोद के हक्कार है?"

[संख्या एल-26011/3/74-एल० आर०-4]

ORDER

New Delhi, the 10th June, 1974

S.O. 1774.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Gua Ore Mine of Messrs Indian Iron and Steel Company Limited, Post Office Gua, Dis-

trict Singhbhum, and their workmen in respect of the matters specified in the Schedule hereto annexed.

AND WHEREAS the Central Government considers it desirable to refer the said dispute for adjudication.

NOW THEREFORE, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal No. 2, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Keeping in view the term No. 3 of the Tripartite settlement dated the 26th April, 1973, whether Messrs M. N. Ghosh and Sons, Contractors of Gua Ore Mine of Messrs Indian Lion and Steel Company Limited, Post Office Gua, District Singhbhum was justified in denying wages @ Rs. 1.25 per tonne, Dearness Allowance @ Rs. 1.92 per tonne, Variable Dearness Allowance, Rs. 15/- P. M. as Food Grains Allowance in pursuance of terms No. 5 (II), 6, 7 and 12 respectively of the aforesaid settlement to Truck Loaders employed under them? If not, to what relief are the concerned workers entitled?

[No. L-26011/3/74-LR. IV]

प्रावेश

का० आ० 1775.—यत् केन्द्रीय भरकार की राय है कि इससे उपाबद्ध अनुसूची में विनियिष्ट विषयों के बारे में मैसें एस० पाल एण्ड कम्पनी, जिल्लग लग्लोटा, आइसन और माहात्म के स्थानी, डाकघर जाजाग बरास्ता जोड़ा, जिला कियोहर के प्रबन्धतन्त्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक ओष्ठोगिक विवाद विद्यमान है;

और यत् केन्द्रीय भरकार उक्त विवाद को न्यायर्नियमन के लिए निर्देशित बरता बांधनीय समझती है;

अत्, अब, ओष्ठोगिक विवाद प्रधानियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के अड (अ) वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय भरकार एतद्वारा एक ओष्ठोगिक अधिकरण भठ्ठन करती है, जिसके पीठासीन अधिकारी थी लक्ष्मीधर मल्लिक हुंगे, जिनका मुख्यालय भुवनेश्वर हुंगा और उक्त विवाद को उक्त ओष्ठोगिक अधिकरण को न्यायर्नियमन के लिये निर्देशित करती है।

अनुसूची

“क्या मैसें एस० पाल एण्ड कम्पनी, जिल्लग लग्लोटा आइसन और माहात्म, डाकघर जाजाग, बरास्ता जोड़ा जिला कियोहर की उपरोक्त खात में नियोजित नियन्त्रित कर्मकारों को हरेक के सामने वर्णयी गई तारीख से, बरखास्त करने की कार्यवाही वैध और न्यायालिन थी? यदि नहीं, तो कर्मकार किस अनुसार के हक्कार हैं।

- पी०सी० मैती, टक्क 27-12-73
- मकरेठज, खनिक 27-12-73
- चक्रवर्ती वाम, खनिक 27-12-73
- दुमब प्रधान, खनिक 27-12-73

5. श्रीधर भुजा, खनिक	19-11-73
6. सुनका भुजा, खनिक	19-11-73
7. पूल०ष्टी० प्रम्ती, आलान मेट	27-12-73
8. मधुभुजा, खनिक	2-1-74
9. मिला प्रमात्र सिसर	2-1-74
10. श्रीमनी जानी देवी, खनिक	2-1-74
11. वीरभद्र	2-1-74
12. मायाधर, प्रधान	2-1-74
13. गंगाधर मंडा	2-1-74

[संख्या ए.ल-26011/1/74-ए.ल० आर०-4]

ORDER

S.O. 1775.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to Messrs S. Lal and Company, owners Jhilling Langlota Iron Ore (Mines), Post Office Jajang via-Joda, District Keonjhar and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of Section 10 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri Laxmidhar Mullick as presiding officer with headquarters at Bhubaneswar and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

Whether the action of Messrs S. Lal and Company, owners Jhilling Langlota Iron Ore Mines, Post Office Jajang via-Joda District Keonjhar in dismissing on the dates shown against each, the following workmen engaged at the above mine was legal and justified? If not, to what relief are the workmen entitled?

1. P.B. Maity, Typist	27-12-73
2. Makardwaj, Miner	27-12-73
3. Chakravarty Das, Miner	27-12-73
4. Brusaw Pradhan, Miner	27-12-73
5. Sridhar Munda, Miner	19-11-73
6. Sunca Munda, Miner	19-11-73
7. L.D. Prusty, Challan Mate	27-12-73
8. Madhu Munda, Miner	2-1-74
9. Siba prasad Sittar	2-1-74
10. Smt. Jani Devi, Miner	2-1-74
11. Birabhadra	2-1-74
12. Mayadhar Pradahn	2-1-74
13. Gangadhar Munda	2-1-74

[No. L-26011-1/74-LRIV]

आवेदन

नई दिल्ली, 15 जून, 1974

का० आ० 1776.—अन्. केन्द्रीय सरकार की राय है कि इससे उपायदृ अनुसूची में विविध विषयों के बारे में मैसर्स डेहरी रोहतास लाइट रेलवे कंपनी निमिटेड के प्रबन्धनन्तर से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक श्रौद्धोगिक विवाद विद्यमान है;

प्रौर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिये निर्देशन करना चाहनीय ममक्षती है;

अन्.—ग्रब, श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के अन्तर्गत (प्र) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार एन्ड डारार उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार श्रौद्धोगिक अधिकरण (सं० 1) धमादाद को न्यायनिर्णयन के लिए निर्देशन करती है।

प्रमुखसूची

“क्या मैसर्स डेहरी रोहतास लाइट रेलवे कंपनी निमिटेड, डालमिया नगर, भी उन स्टेशन मास्टरों, महायक स्टेशन मास्टरों और पुस्टमैन के जो उक्त कंपनी द्वारा 25 जनवरी, 1974 में 13 फरवरी, 1974 तक की अवधि के बीच नियोजित किये गये थे, कार्य के घण्टों में परिवर्तन करने की कार्यावाही वैध और न्यायोचित है? यदि नहीं तो संबंधित कर्मकार किस अनुसूची के हकदार हैं?”

[नं० एल० 41012/10/74/ग्राही०आ० iii]

पी० पी० कार्थन, अवर सचिव

ORDER

New Delhi, the 15th June, 1974

S.O. 1776.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Dehri Rohtas Light Railway Company Limited and their workmen in respect of the matters specified in the Schedule hereto annexed;

AND WHEREAS the Central Government considers it desirable to refer the said dispute for adjudication;

NOW THEREFORE, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal (No. 1), Dhanbad constituted under section 7A of the said Act.

SCHEDULE

“Whether the action of the management of Messrs Dehri Rohtas Light Railway Company Limited, Dalmianagar to change the working hours of Station Masters, Assistant Station Masters and pointsmen employed by them during the period from 25th January, 1974 to 13th February,

1974 was legal and justified? If not, to what relief are the workmen concerned entitled?”

[No. L. 41012/10/74/IR III]

P. P. KANTHAN, Under Secy.

नई दिल्ली, 1 जुलाई, 1974

का० आ० 1777.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि नथा कुटुम्ब पेशन निधि अधिनियम, 1952 (1952 का 19) की धारा 5 की उपधारा (1) के अन्तर्गत (प्र) डारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री पी० चेन्टसल राव, अतिरिक्त महामन्त्री, अधिकारी भारतीय नियोजक संगठन फेडरेशन हाऊस, नई दिल्ली-1 को श्री सरोतम पी० हशीमिह के स्थान पर केन्द्रीय न्यासी बोर्ड के सदस्य के रूप में नियुक्त करती है, तथा भारत सरकार के भूतपूर्व श्रम रोजगार और पुनर्वास मकालय (श्रम प्रौद्योगिक विभाग) की अधिसूचना मंडली का० आ० 2412, नारीबाल 6 जुलाई, 1970 में निम्नलिखित और संशोधित करती है, अर्थात्:—

उक्त अधिसूचना में, क्रम-संख्या 21 में “श्री सरोतम पी० हशीमिह, शाहीबाग, अहमदाबाद” प्रविष्टि के स्थान पर “श्री पी० चेन्टसल राव अतिरिक्त महामन्त्री, अधिकारी भारतीय नियोजक संगठन, फेडरेशन हाऊस, नई दिल्ली-1”-प्रविष्टि रखी जायेगी।

[संख्या 12(5)/69-पी०एफ०-2]

दलजीत सिंह, उप सचिव

New Delhi, the 1st July, 1974

S.C. 1777.—In exercise of the powers conferred by clause (d) of sub-section (1) of section 5A of the Employees provident funds and Family pension Fund Act, 1952 (19 of 1952), the Central Government hereby appoints Shri P. Chentsal Rao, Additional Secretary-General, All India Organisation of Employers, Federation House, New Delhi-1 as a member of Central Board of Trustees, vice Shri Surrottam P. Huthéesing, and makes the following further amendment in the notification of the Government of India in the Late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S. O. 2412, dated the 6th July, 1970, namely:—

In the said notification in serial number 21, for the entry “Shri Surrottam P. Huthéesing, Shahibag, Ahmedabad”, the entry “Shri P. Chentsal Rao, Additional Secretary-General, All India Organisation of Employers, Federation House, New Delhi-1” shall be substituted.

[No. 12 (5)/69-P.F. III]

DALJIT SINGH, Secy.

पूर्ति और पुनर्वास भवालय

(पुनर्वास विभाग)

नई दिल्ली, 29 जून, 1974

का० आ० 1778.—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 3 उपचारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इसके द्वारा निष्पात सम्पत्ति से संबंधित कार्यों को कर रहे थे। प्रदेश के राजमंडल बोर्ड के संवस्य को राजमंडल बोर्ड के सदस्य को सौंपे गए कार्यों के प्रतिरिक्त उक्त अधिनियम के द्वारा या उसके अन्तर्गत बन्दोबस्तु आयुक्त को सौंपे गए मुश्किलों पूल के भाग की अंजित निष्कासित सम्पत्तियों, हृषि भूमि, दूकानों तथा आली स्थानों के प्रबन्ध अधिकारी, तथा निपटान संबंधी कार्यों को निष्पादित करने के लिए आधि प्रदेश राज्य में बन्दोबस्तु आयुक्त के रूप में नियुक्त करती है।

[संख्या 25/2/73/एम० एम०-4]

वीनानाथ असीजा, अवर मंत्रिव

MINISTRY OF SUPPLY AND REHABILITATION

(Department of Rehabilitation)

New Delhi, the 29th June, 1974

S.O. 1778.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints the Member of the Board of Revenue in the State of Andhra Pradesh dealing with evacuee property as Settlement Commissioner for the purpose of performing, in addition to his own duties as Member of the Board of Revenue, the functions assigned to a Settlement Commissioner by or under the said Act, in regard to the management, custody and disposal of the acquired evacuee properties, agricultural lands, shops and vacant sites forming part of the Compensation Pool in the State of Andhra Pradesh.

[No. 25/2/73-SS IV]

D. N. ASIZA, Under Secy.